



The Regular Meeting of the West Valley City Council will be held on Tuesday, August 16, 2016, at 6:30 PM, in the City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend.

Posted August 11, 2016 at 2:30 PM

## A G E N D A

1. Call to Order
2. Roll Call
3. Opening Ceremony: Councilmember Lars Nordfelt
4. Special Recognitions
5. Approval of Minutes:
  - A. August 9, 2016
6. Comment Period:

*(The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to five minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the microphone. All comments shall be directed to the Mayor. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 30-minute period.)*

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.

- A. Public Comments
- B. City Manager Comments
- C. City Council Comments

7. Public Hearings:

- A. Accept Public Input Regarding Application No. GPZ-1-2016, Filed by West Valley City, Requesting a General Plan Change from Institutional or High Density Residential to Very High Density Residential and a Zone Change from 'R-2-8' (Residential Duplex, Minimum Lot Size 8,000 Square Feet) and RM (Residential, Multi-Family) to 'CC' (City Center) on Property Located at 3060 West 3650 South and From 3015 to 3137 West Lehman Avenue

Action: Consider Ordinance 16-35, Amend the General Plan to Show a Change of Land Use from Institutional or High Density Residential to Very High Density Residential for Property Located at 3060 West 3650 South and from 3015 to 3137 West Lehman Avenue on 7.6 Acres

Action: Consider Ordinance 16-36, Amend the Zoning Map to Show a Change of Zone for Property Located at 3060 West 3650 South and from 3015 to 3137 West Lehman Avenue from 'R-2-8' (Residential Duplex, Minimum Lot Size 8,000 Square Feet) and 'RM' (Residential, Multi-Family) to 'CC' (City Center)

Action: Consider Resolution No. 16-124, Authorize the City to Enter into a Development Agreement with the Housing Authority of the County of Salt Lake for Approximately 5.63 Acres of Property Located at Approximately 3060 West 3650 South

- B. Accept Public Input Regarding Application No. S-15-2016, Filed by West Valley City, Requesting Final Plat Approval for the CR England Subdivision- Lot 1 Amended and Extended for Property Located at 2400 South 4800 West



Action: Consider Ordinance 16-37, Approve the Amendment of Lot 1 in the CR England Subdivision

- C. Accept Public Input Regarding Application No. S-17-2016, Filed by Jared Collings, Requesting Final Plat Approval for the Collings/Harvey Subdivision Located at 2991 West 3835 South

Action: Consider Ordinance 16-38, Approve the Amendment of Lot 5 in the Bangerter Subdivision

8. Resolutions:

- A. 16-125: Approve Amendment No. 1 to the Agreement with Utility Cost Management Consultants for Certain Consulting Services
- B. 16-126: Approve a Development Backbone Contract Between Rocky Mountain Power and West Valley City for Installation of the Electrical Power Backbone at Fairbourne Station Phase 2
- C. 16-127: Award a Contract to Acme Construction for the Meadowlands Detention Basin Project

9. New Business:

- A. Consider Application No. S-3-2016, Filed by Denali Clark, Requesting Final Plat Approval for the Alieta Acres Subdivision Located at 3884 South 6400 West
- B. Consider Application No. S-16-2016 , Filed by Natomas Meadows LLC, Requesting Final Plat Approval for the ARA Industrial Center Subdivision- Phase 2 Located at 6935 West SR-201 Frontage Road

10. Consent Agenda:

- A. Reso. 16-128: Authorize the City to Accept a Grant of Temporary Construction Easement from Metals Manufacturing Company for Property Located at 2395 South 2570 West (Parcel 15-21-258-003)
- B. Reso. 16-129: Authorize the City to Accept a Grant of Temporary Construction Easement from KH Mountain Investment, LLC for Property Located at 2339 South Constitution Boulevard (Parcel 15-21-254-009)
- C. Reso. 16-130: Authorize the City to Accept a Grant of Temporary Construction Easement from Jeralynn T. Winder for Property Located at 2585 South 2570 West (Parcel 15-21-452-006)
- D. Reso. 16-131: Authorize the City to Accept a Grant of Temporary Construction Easement from FR Investment LLC for Property Located at 2421 South 2570 West (Parcel 15-21-403-002)
- E. Reso. 16-132: Authorize the City to Accept Two Grants of Temporary Construction Easement from LCI Enterprises for Property Located at 2551 South 2570 West (Parcel 15-21-403-004)

11. Motion for Executive Session

12. Adjourn



## **MINUTES OF COUNCIL REGULAR MEETING – AUGUST 9, 2016**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, AUGUST 9, 2016, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor  
Lars Nordfelt, Councilmember At-Large  
Don Christensen, Councilmember At-Large  
Tom Huynh, Councilmember District 1  
Steve Buhler, Councilmember District 2  
Karen Lang, Councilmember District 3  
Steve Vincent, Councilmember District 4 (*Participating via Telephone*)

STAFF PRESENT:

Wayne Pyle, City Manager  
Nichole Camac, City Recorder  
  
Nicole Cottle, Assistant City Manager/ CED Director  
Eric Bunderson, City Attorney  
Jim Welch, Acting Finance Director  
Lee Russo, Police Chief  
John Evans, Fire Chief  
Russell Willardson, Public Works Director  
Layne Morris, CPD  
Kevin Astill, Parks and Recreation Director  
Sam Johnson, Strategic Communications Director  
Jake Arslanian, Public Works Department  
Jeannette Carpenter, Finance Department

### **OPENING CEREMONY**

Councilmember Don Christensen conducted the Opening Ceremony. He requested members of the City Council, City staff, and the audience to rise and recite the Pledge of Allegiance.

### **SPECIAL RECOGNITIONS - SCOUTS**

Mayor Bigelow welcomed Scout Troop No. 796 and 1994 in attendance at the meeting to complete requirements for the Citizenship in the Community and Communications merit badges.

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### **APPROVAL OF MINUTES OF REGULAR MEETING HELD JULY 26, 2016**

The Council considered the Minutes of the Regular Meeting held July 26, 2016. There were no changes, corrections or deletions.

Councilmember Lang moved to approve the Minutes of the Regular Meeting held July 26, 2016. Councilmember Buhler seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

### **EMPLOYEE OF THE MONTH AWARD, AUGUST 2016- MARIA ALVARADO, JUSTICE COURT**

Don Christensen read the nomination and presented the award for the Employee of the Month for August 2016 to of Maria Alvarado, Justice Court.

The nomination reads as follows:

Maria is probably the most cheerful and positive person here at the justice court. She starts of each day with a hello and a smile to every person she comes across. I personally know a handful of times that she has made my day more positive just by being around her cheerful personality. She also was recently asked to change job assignments and has taken the time necessary to learn everything she needs to know in order to perform her new assignment to the best of her ability. Maria is one of our Spanish speakers and never hesitates to volunteer to translate for a customer or take Spanish calls when asked for help.

### **COMMENT PERIOD**

#### **A. PUBLIC COMMENTS**

Paul Adams, 3153 S 4400 W, stated that he is frustrated and feels that the Police Department, Code Enforcement, and Planning and Zoning need to work full time instead of what he feels are part time hours. He stated that there is an ongoing yard sale in his neighborhood that creates significant problems and because they occur on weekends, he feels the issue won't get resolved. Mr. Adams stated that people should be restricted to a limited number of yard sales over a specific amount of time.

John Sanders, 2543 Derby Street, stated that he has lived in the Chesterfield area of West Valley City for over 30 years. He indicated that he loves his neighborhood as it is and he is bothered by a few neighbors who have been turning other residents in for various violations. He stated that his wife's

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grandfather bought his property in 1915 and the raising of animals and other agricultural uses have been conducted on the land since that time. Mr. Sanders expressed concern about the need for permits to build agricultural buildings on his property and animal use being restricted. He indicated that this is part of his lifestyle and only one perspective, a negative one, of Chesterfield is being seen.

Margie Penegar, 2568 S Fargo Street, stated that she has lived in the Chesterfield neighborhood of West Valley City for 70 years. She indicated that chickens have been a part of her life for as long as she can remember and she loves her neighborhood for its agricultural roots. Ms. Penegar stated that neighbors work problems out amongst themselves and she doesn't want the City to condemn her property because it is not improved or cleaned up to their standard.

Crystal Lopez, 2575 S Derby Street, stated that she speaks for her friends and neighbors who live in the Chesterfield neighborhood of West Valley City. She stated that she was raised with animals and she doesn't want this right taken away. She added that roosters are a part of her everyday life and for the City to ban them would be unfair. Ms. Lopez stated that everyone is a family in Chesterfield and she doesn't want the neighborhood to change. She indicated that it is her home and a place she finds comfort.

Terri Mills, 5890 West 3500 South, stated that her kitten was killed by her neighbor's dog one week ago. She indicated that she received a phone call in response after dialing for help and an officer was not sent to her home. Ms. Mills stated that this procedure needs to be changed and an officer should respond when an event happens. She indicated that when a dog kills another pet, a citation is given to the dog owner and no other penalty is dispersed. Ms. Mills stated that she understands every situation is different but she would encourage the City Council to consider discussing new policies and deciding whether current standards are fair. She requested to be notified when this conversation takes place.

Jeff White, 4081 West Lake Avenue, stated that citizens of the United States have inalienable rights. He indicated that the government has the right to secure the safety of its citizens but should let residents live in peace. Mr. White discussed different forms of government and the right of people to own animals and live the life they want to live.

### B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, expressed sympathy to Terri Mills about the loss of her cat. He indicated that the Council discussed this incident in Study Meeting and he has been directed to have staff look into options and potential changes

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regarding penalties for pet owners. He added that the City will invite Ms. Mills when that conversation is had.

Mr. Pyle stated that there is no discussion or proposal to take away agricultural zoning in the City or to eliminate the ability of residents to raise animals. He indicated that the City is discussing possibly changing the ordinance to limit the number of roosters allowed on properties in agricultural zones but the only intent for that is to prevent cockfighting. Mr. Pyle stated that this is a conversation that is occurring but no action has yet been taken. He added that cockfighting is illegal under current State and Federal laws.

### **B. CITY COUNCIL COMMENTS**

Mayor Bigelow thanked residents for attending the meeting. He stated that Chesterfield is an important area in the City and he is thankful for the input received.

Mayor Bigelow also stated that he is concerned about ongoing yard sales occurring throughout the City and stated that he will ensure this issue is looked into.

### **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING THE BUDGET OF WEST VALLEY CITY FOR FISCAL YEAR 2016-2017**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled August 9, 2016, in order for the City Council to hear and consider public comments regarding the budget of West Valley City for Fiscal Year 2016-2017.

Written documentation previously provided to the City Council included information as follows:

This resolution adopts the final budget for West Valley City for the 2016-2017 fiscal year and sets a date for public comment at a hearing to be held on August 9, 2016.

West Valley City will adopt a final budget that will be made available for public inspection during regular office hours in the City's Recorder's office and gave notice of a hearing to receive public comment, before the final adoption of this tentative budget for FY 2016-2017.

Jim Welch, Finance Director, provided a PowerPoint presentation summarized as follows:

Budget Fiscal Year 2016-2017

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- Reflects Council direction and objectives
- Promotes efficiency in government
- Public disclosure/transparency
- Balanced budget required by State Law
- Prepared to GFOA standards
- City budgeting is a Structured process of systematically reviewing the costs of services and associated revenue sources to cover these costs.
- In this process the City Council provides direction to the Administration to meet their planned objectives.
- Preparing an annual budget is required by state law which promotes responsible management of taxpayer resources. This process requires that each expenditure line item is critically examined and projected. Additionally all revenue sources are evaluated and projected to reflect changes in fees or economic trends.. These projections are then compared and adjustments made to ensure that the city proposes a balanced budget to the City Council.
- The budget is strictly prepared to provide a clear and transparent document outlining the upcoming years needs and authorized expenditures. It is prepared to state and national standards which dictate the process and form of presentation to ensure accuracy and clarity.

### Fiscal Drivers

- Ongoing & increasing costs of services and operations
- Modest revenue growth
- Judicious cost controls
- Aging infrastructure and maintenance costs
- Maintaining fiscal reserves
- Direction of the City Council to meet planned objectives
- There are a number of Economic and Environmental Forces that affect the operation of the City:
  - o Just like any operation the costs of providing services increases each year. These costs include rising healthcare costs and Employee Benefits, Utility costs, and the Maintenance and Replacement of ageing Buildings and Equipment.
  - o The economic environment indicates that we are entering a period of modest to flat growth in most revenue sources.
  - o Because of this slow growth and the fact that, as a service organization over 65% of the city budget goes to provide for personnel costs; expenditures are carefully scrutinized to make sure that service levels are maintained at appropriate levels and that the city maintains sufficient fiscal reserves to remain



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resilient enough to weather the possibility of another recession or required emergency expenditure.

- The budget is also prepared and proposed to meet the direction of the City Council with regards to providing adequate Police, Fire Protection, Ambulance Services, Roads and Park Maintenance, and Economic Development to ensure a vibrant and healthy business environment to providing jobs and a healthy tax base to support these services.

### Expenditure Projections

- Strategic Planning objectives
- Service levels
- Cost of services
  - Capital expenditures
  - Fuel
  - Utilities
  - Debt Service
  - Business type activities
  - Facilities maintenance
  - Wages, benefits, and insurance
- Expenditure projections are prepared by analyzing the resources available and needed to provide services as directed by the City Council.
  - These include the personnel costs associated with providing Public Safety, Streets Maintenance, Parks and Recreation, Sanitation, and the administrative costs of improving and maintaining city services
  - Examples of service levels might be: How many Police Officers is the City going to authorize and hire, What level of maintenance will the Streets and Storm-Water systems be maintained, How often will Trash be collected and at what level will Parks be maintained.
- Specific issues that must be addressed are the continuing depreciation of buildings, roads and other infrastructure. These all wear out and must be maintained and in some cases replaced. These costs are ongoing and increase each year.
- Because the city is a service organization most of the expenses incurred have to do with employee costs. Each year Health Care continues to rise

### General Fund

- This year the proposed General Fund Budget is \$75,719,756 representing about a 1% increase over last year.
- While overall revenues have remained generally flat. We are

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projecting a modest increase in sales tax revenues with decreased revenues expected in Utility Taxes, Licenses and Permits and the Justice Court.

- The expenditures overall show a slight net increase of about 1%
- The expenditures reflected in the Police Department reflects a credit for grants applied for and expected to be received in the upcoming year along with some decreased personnel costs.
- Other cost fluctuations are largely due to increased benefits, changes in debt service and costs of operations.
- Non-Departmental includes
  - o Transfers to other operations
  - o Employee Benefits
  - o Utilities
  - o Fleet Replacement

Revenue Sources FY 2016-2017 and General Fund Expenditures FY 2016-2017 (represented graphically)

- Graphically represented, the budget indicates that the Revenues are roughly balanced with 38% received from Property Taxes, 34% from Sales Taxes and 28% from Franchise Tax, Fines, Fees and Permits
- Of these revenues, sales tax collections are largely influenced by the economy and are not controllable by the city. The same goes for other franchise taxes and other fees. They are highly regulated by state and federal mandate which removes much of the flexibility of cities to adjust these revenues.
- Property tax revenues by state code are fixed at the previous years levels including any new construction. This means there is no growth due to appreciation in values. State Code allows City Councils to adjust the property tax revenues to meet the escalating costs of services by holding a public hearing and then adopting the adjusted revenue amount.
- Expenditures show that 41% of the budget goes directly to Public Safety with the remainder being used for Support Services, Public Works, Community and Economic Development, Public Works and Parks and Recreation and Debt Service.
- Non-Departments Expenditures reflect City expenses not expressly associated with a specific department. These include Fleet Replacement, Employee Benefits, and Transfers to operations and other obligations of the City

West Valley City's website to calculate estimated totally property tax bill

- This slide is a copy of a graphic on our website that illustrates a typical property tax bill and the portion of property tax a homeowner

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might pay compared to the services they receive.

- West Valley City collects about 26% of the total property tax bill.

### Notice of Proposed Tax Increase

- Included in this years budget is an adjustment to the tax rate to reflect the imposition of a Judgment Levy and an increase for operations.
- The Judgment levy is proposed when large taxpayers in the city appeal the valuations of their property and are successful in petitioning the County to rebate taxes paid in previous years. This rebate called a Judgment causes a shortfall in municipal budgets. Because cities are allowed to collect a flat amount of property tax each year plus now growth a judgment levy is the amount need to bring revenues back to zero with the previous year.
- This year the Judgment amount is \$400,000. and reflects about 1.5% of the West Valley portion of property tax paid and about .6% of the total tax
- The increase in property tax revenues proposed in this budget is \$2,000,000 and is about 8.4% of the West Valley City portion and 2% of the overall bill.

Wayne Pyle stated that there are always increased expenses year to year and specified various costs, such as health insurance, that have gone up dramatically this year. He indicated that there are various tools that can be used to prevent tax increases such as economic development, utilizing fund saving accounts, etc. Mr. Pyle stated that this year he felt the best solution to accommodate the growing needs of the City, its residents, and its personnel was to increase property tax. Mr. Pyle explained in detail how this money will be used and applied.

Mayor Bigelow opened the Public Hearing.

John Frederick, 4598 South Wood Grove Drive, questioned what the JDG tax line on his statement refers to. Councilmember Christensen indicated that this is the judgment levy. Mr. Frederick stated that the cost of everything seems to be increasing and he doesn't understand why his property taxes are increasing so high as well. He expressed frustration with the cost of living continuing to rise and indicated that he is worried he won't be able to continue functioning. Mr. Frederick added that he is thankful for the hard work of the West Valley City Police Department.

Jeff White, 4081 West Lake Avenue, stated that he has had a great response from the West Valley City Police Department as well and is appreciative of their service. He indicated that he is frustrated with the Code Enforcement Department and the penalties they place on residents for not being able to maintain their yards. Mr. White stated that

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the cost of living continues to increase and the City has a steadily aging population. He indicated that people cannot afford the neighborhood firework shows over the July holidays as they once did and can't afford spending money on property tax increases. Mr. White suggested placing the tax raise on the ballot in November and letting the people speak.

Jeff Reeve, 4259 West Lake Avenue, stated that he is on a fixed income. He indicated that when taxes go up, people starve and added that residents have a right to their freedom.

Bud Shosteff, 8366 West 4400 South, stated that he also lives on a fixed income. He indicated that when he can't afford something he has learned to cut back on other things and this is something the City doesn't seem to be doing. Mr. Shosteff stated that he feels these meetings are just a formality and the decisions are made behind closed doors. He invited members of the Council to visit the neighborhoods of West Valley City to see what is really going on. Mr. Shosteff stated that he feels the City likes to spend other people's money and suggested charging property tax on multiple families living in a single house. He stated that roads and other projects need to be completed.

Troy Council, 4812 W 3850 S, stated that the government should work for the people. He expressed frustration regarding UTOPIA and the City owned hotel that is failing and stated that tax dollars should be spent on other things. He suggested selling the hotel and eliminating WestFest instead of raising property taxes.

Fynbo, 4160 W 3830 S, stated that he has two part time jobs and will probably need to start begging for money on the corner of roads to pay for increased taxes.

Eugene Sorensen, 3851 S Congress Drive, stated that he is concerned this meeting is simply a formality but the decision to raise taxes has already been made. He indicated that taking 2.8 million dollars by way of property tax will also negatively impact the sales tax in the City.

Ed Blanchard, 3693 Sherington Drive, stated that he is angry because his taxes went up 34%. He indicated that he understands the principles of budgeting and government and encouraged the City to find other ways of acquiring the needed funds. Mr. Blanchard stated that he can't ask his work for an increase in salary just because the City raised property taxes. He also added that the Government always threatens residents with cutting Public Safety because they know this will cause people to pay the extra money. Mr. Blanchard stated that his opinion likely won't matter but he would ask the Council to find other ways.

Ron Black, 4171 West 3830 South, stated that he is disappointed that there are so few

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residents who attended the meeting and indicated that he doubts many of them knew it was happening. He quoted an opinion article published by Bill Barton and concurred with the comments made. Mr. Black stated that he is on a fixed income, has health issues, and struggles with everyday living while the City Manager of West Valley makes a significant amount of money. He added that many great people have moved out of the City due to negative changes that have occurred.

Jeff White, 4081 West Lake Avenue, stated that he would rather the City increase taxes by 1.5% every year instead of waiting 4 or 5 years and slapping a significant increase on its residents. Mr. White stated that he will be voting in upcoming elections because he wants to see changes.

Levi Card, 2555 South Fargo Street, stated that he was bored with the presentation by Mr. Welch and Mr. Pyle because it was very monotone, unexcited, and uninterested. He stated that hearing from the residents has been more powerful because this is their life and they care. He indicated he is a 25 year old single male and works hard to pay for his home. He stated it is difficult to manage the increases in life and it is unfair to take away from people who are working hard to survive. Mr. Card encouraged the Council to work with residents to find alternate solutions.

John Sanders, 2543 Derby Street, stated that the Council was elected to represent the people. He requested that they do the best they can with their money.

Mike Markham stated that this is a difficult increase for residents. He indicated that he likes seeing the Police Department, Fire Department, and Public Works Department in his neighborhood working hard and keeping the City safe. Mr. Markham stated that he understands the City needs money to accomplish these things and while it is difficult to have a tax increase in an election year, he has planned for it. He thanked the Council for their work.

John Frederick, 4598 S Woodgrove, stated that will likely need to appeal the property tax increase because he can't afford it.

Kathy Meyer stated that she has been resident of the City since 1955. She stated that she lives within her means and the neighborhood she lives in supports each other. She encouraged the Council to take older residents into consideration and make costs reasonable.

Mike Millet, 4556 S 3245 W, stated that he loves the City and has been a promoter of crime prevention for many years. He indicated that he is on a fixed income and he was devastated when he saw the increase. Mr. Millet stated that he is appreciative of the services he receives but doesn't understand why the City has a judgment levy that is so

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much higher than neighboring communities.

Jeff White, 4081 Westlake Avenue, stated that many people likely don't know this meeting is occurring. He stated that the City needs to figure out how to address people on fixed incomes and how they will be able to afford the increase. Mr. White indicated that there needs to be a way to prevent property tax increases and added that the City is its people.

Mayor Bigelow closed the Public Hearing.

**ACTION: RESOLUTION NO. 16-120, ADOPT A FINAL BUDGET; MAKE APPROPRIATIONS FOR THE SUPPORT OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017; AND DETERMINE THE RATE OF TAX AND LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN WEST VALLEY CITY, UTAH, TAXABLE BY LAW FOR THE YEAR 2016**

The City Council previously held a public hearing regarding adopting a final budget; make appropriations for the support of West Valley City for the fiscal year beginning July 1, 2016 and ending June 30, 2017; and determine the rate of tax and levying taxes upon all real and personal property within West Valley City, Utah, taxable by law for the year 2016.

Mayor Bigelow stated that cutting programs is difficult and budgeting for a City isn't an easy task. He indicated that the County and other sources are partially responsible for the raises that many residents see on their tax documents. Mayor Bigelow stated that when he was running for Mayor he promised to not raise taxes until he was convinced that the City was spending money effectively and efficiently and his vote tonight will reflect that. He added that the Council has held a number of meetings throughout the year regarding the budget and the proposed tax increase and this information is available to the public in person or on the internet. He stated that the City can provide the information but can't force residents to look at it. Mayor Bigelow added that the Council cannot vote or take a formal position on any topic until they are before the public in a meeting. He indicated that the annual ongoing and operational budget of the City is something that should not be placed for a vote by the people because there is a great deal of expertise that goes into it.

Councilmember Christensen stated he is on a fixed budget and his property taxes increased immensely this year as well. He indicated that he understands the concerns expressed by the residents. Councilmember Christensen stated that if the Police Department is not brought up to scale, the City will not have this department and it will revert back to the County. He stated that this would be detrimental to the residents of West Valley. Councilmember Christensen stated that many residents on a fixed income

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can apply for a tax circuit breaker amendment and added that any concerns regarding the value of a property should be addressed to the County Assessor's office. He concluded that he hopes residents attend other meetings where tax levels increased such as Granite School District, Salt Lake County, etc.

Councilmember Vincent agreed with the comments made by Mayor Bigelow and Councilmember Christensen. He stated that the City didn't raise taxes by 35% and many other entities added to that increase. Councilmember Vincent stated that as a resident, he experienced the increase as well but also feels it is something that is necessary to ensure the Fire Department and Police Department can operate at a high standard. He concluded that he is constantly involved in the neighborhoods of the City and speaks to residents every day so he does understand their concern and needs.

Councilmember Buhler stated that he doesn't like that many residents use the terms "us" and "them". He stated that every Councilmember, the City Manager, and even the Police Chief live in the City. He indicated that not only do they live in the City, many Councilmembers work in the City as well. Councilmember Buhler stated that the Council meets every Tuesday year round and discussions are had on what to spend money most appropriately on and decisions are made based on what the Council feels is best for the Community. He stated that he doesn't like paying taxes and he doesn't like that his neighbors having to pay them either but added that this is a great country where we can operate as a democracy. He indicated that a resident in his district fell on a sidewalk that was in disrepair but the City was finally able to fix that. Councilmember Buhler stated that he voted to have sidewalks installed in a neighborhood that didn't have any so that children were able to get to school safer. He indicated that these costs are all paid for by the City. Councilmember Buhler stated that police cameras and the space to store the footage costs money. The Council recently voted to rebuild old and out of date Fire Stations and that costs money. He stated that the Council listens to the residents who come to complain throughout the year and tries to make the best decisions for the City based on these concerns. Councilmember Buhler stated that the Mayor and Council have been essentially voting for this tax increase all year with the different contracts and programs they have approved and agreed to enter into. He stated that it would be disingenuous for anyone to vote against this tax increase after voting yes for many costly changes that will be occurring soon and benefitting the City.

Councilmember Lang stated that increasing taxes by 1% every year doesn't make sense to her. She stated that she feels that would give staff a free check and she would rather be able to maintain a check and balance system. Councilmember Lang stated that it's the job of the Council to spend the money of the residents in the best way possible. She stated that she questions a lot of things the City proposes and does the best she can to ensure money is being spent appropriately and wisely. She added that everyone has a budget but costs increase for everything and she personally has to budget for these increases as well.

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Councilmember Lang stated that for \$450 a year, she gets many wonderful services offered by the City and if she lived in an HOA elsewhere, she'd probably pay more for less.

Councilman Nordfelt thanked residents for attending tonight's meeting and expressing their opinions. He stated that when he ran for office, he promised he would do the right thing for his family, the City he loves, and the future of the community. He indicated that he will be voting in favor of the tax increase because he feels that while it isn't easy, it's necessary and important.

Councilman Huynh thanked residents for attending. He stated that West Valley City is very unique and has a diverse and aging population. He indicated that younger cities don't face the same problems and he wants to help fix the issue. Councilmember Huynh suggested increasing sales taxes instead of property taxes and indicated that larger businesses can afford the increase. He thanked staff for their efforts but stated that the Council, staff, and the residents need to come together to find a solution. Councilmember Huynh stated that there have to be alternative methods and he doesn't support the idea of raising taxes. He added that taxing younger, wealthier residents should also be looked into so that older people on fixed incomes don't experience this problem.

Councilmember Buhler asked if sales tax rates can be changed. Wayne replied no. Councilmember Buhler asked if tax increases can be targeted to specific groups of people. Wayne replied no.

Mayor Bigelow stated that he is angry and offended at being called disingenuous. He indicated that he is staying true to the residents that elected him and he will always live by that standard. He stated that the Council told him to stay away from the budget but he believes he can put together an effective one that meets the needs of the City without a tax increase. Mayor Bigelow stated that he is upset that he was not given that chance and is offended at being called disingenuous.

Councilmember Buhler apologized for saying anything that may have come across as offensive. He stated that the Council has already voted on several items that the money from the tax increase will be spent on and he feels his integrity is at stake as well.

Wayne Pyle stated that the unity and ability for the Council and Mayor to function together has been a great strength for the City. He indicated that he doesn't want this debate to cause a rift between them and stated that while he recommends the property tax increase, the City can manage with whatever decision the Council decides.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.



## MINUTES OF COUNCIL REGULAR MEETING – AUGUST 9, 2016

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Councilmember Nordfelt moved to approve Resolution No. 16-120, a resolution that would adopt a final budget; make appropriations for the support of West Valley City for the fiscal year beginning July 1, 2016 and ending June 30, 2017; and determine the rate of tax and levying taxes upon all real and personal property within West Valley City, Utah, taxable by law for the year 2016.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	No
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	No

Majority.

*Councilmember Steve Vincent was excused from the remainder of the meeting.*

### **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING THE WEST VALLEY CITY POLICE DEPARTMENT'S APPLICATION FOR A JUSTICE ASSISTANCE GRANT (JAG) THROUGH THE U.S. DEPARTMENT OF JUSTICE PROGRAMS**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled August 9, 2016, in order for the City Council to hear and consider public comments regarding the West Valley City Police Department's application for a Justice Assistance Grant (JAG) through the U.S. Department of Justice Programs.

Written documentation previously provided to the City Council included information as follows:

Authorize the Police Department to apply for the Justice Assistance Grant (J.A.G.) through the Department of Justice Programs. The Grant amount is \$97,094. A portion of the funds would be utilized to pay for specialized equipment and overtime for the Department's Special Investigations Unit. The other portion will be used to purchase a web-based mobile alert system entitled "CodeRed". The police department is not required to match funds as this is a non-

## MINUTES OF COUNCIL REGULAR MEETING – AUGUST 9, 2016

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matching grant. The 2016 J.A.G. program is a three year grant. Additional funding may be awarded in future years to continue the grant program.

The U.S. Department of Justice Programs is allowing the West Valley City Police Department to apply for a Justice Assistance Grant (J.A.G.). The funds may be used to purchase equipment, fund training, to fund approved programs, and pay salaries for approved programs. The procedure for allocating J.A.G. funds is a formula based on population and crime statistics in combination with a minimum allocation to ensure that each state and territory receives an appropriate share. The Edward Byrne Memorial Justice Assistance Grant Program will allow states and local governments to support a broad range of activities to improve the criminal justice system. J.A.G. replaced the Byrne Formula and Local Law Enforcement Block Grant programs.

Police Chief L. Russo is re-instituting the police department's Special Investigations Unit. In order for this unit to function at its full potential, specialized equipment and funding for overtime activities are needed. A portion of the 2016 J.A.G. will be used to cover these costs.

Additionally, the Department will be purchasing a web-based mobile alert system called "CodeRed". CodeRed allows for immediate and effective communication between a police department and its citizens by way of alerts via email or mobile devices. CodeRed also provides lines of communication for internal notifications within a police department.

Mayor Bigelow opened the Public Hearing. There being no one to speak either in favor or in opposition, Mayor Bigelow closed the Public Hearing.

### **ACTION: RESOLUTION NO. 16-121, AUTHORIZE THE WEST VALLEY CITY POLICE DEPARTMENT TO APPLY FOR A JUSTICE ASSISTANCE GRANT (JAG) THROUGH THE U.S. DEPARTMENT OF JUSTICE PROGRAMS**

The City Council previously held a Public Hearing regarding authorizing the West Valley City Police Department to apply for a Justice Assistance Grant (JAG) through the U.S. Department of Justice Programs.

Upon inquiry, there were no further questions or concerns expressed by members of the City Council.

Councilmember Christensen moved to approve Resolution No. 16-121, a resolution that would authorize the West Valley City Police Department to apply for a Justice Assistance Grant (JAG) through the U.S. Department of Justice Programs.

Councilmember Lang seconded the motion.

**MINUTES OF COUNCIL REGULAR MEETING – AUGUST 9, 2016**

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Mr. Vincent	Excused
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

**RESOLUTION NO. 16-122, SUPPORT THE CREATION OF A VETERANS HALL**

**WITHIN THE STATE OF UTAH**

Mayor Bigelow discussed proposed Resolution No. 16-122 that would authorize the City to support the creation of a Veterans Hall within the State of Utah.

Written information previously provided to the City Council included the following:

The Veteran's Hall Foundation is asking the West Valley City Council to support them in their efforts to build a Veterans Memorial Hall by adopting the resolution.

The State of Utah does not currently have a Veterans Memorial Hall specifically built not only as a memorial but a gathering place for families to honor and recognize Utah Veterans. Recognizing the need for a unique place to remember, honor and respect those who have given their lives for their Country, the Veteran's Hall Foundation has launched a campaign to raise money to construct a building for this purpose.

During the past several months the Veteran's Hall Foundation has found great support from the public, with members of the State legislature and other mayors and Council members in other local municipalities throughout the State. Several local government officials desire to pass resolutions supporting their efforts to raise funds for this worthwhile cause. West Valley City elected officials have also expressed a desire to voice their support as well.

Councilmember Karen Lang requested that minor changes be made. She stated that she would like the last "furthermore" listed in the proposed resolution to be stricken. She also requested that the beginning of the last sentence under the "Now, Therefore" read as: the Mayor and City Council of West Valley City, Utah, hereby declare their support for the

## MINUTES OF COUNCIL REGULAR MEETING – AUGUST 9, 2016

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creation of a statewide Veterans Memorial Building that will honor, support and assist all Utah veterans;...”

Councilmember Buhler stated that he is thankful for the efforts of Mayor Bigelow who is the head of this foundation. He stated that this is his idea and vision and he has worked diligently to promote this project. Councilmember Buhler stated that Mayor Bigelow is a Veteran and he is thankful for his service. He added that he would like to see the Veteran’s Hall built in West Valley City.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

Councilmember Huynh moved to approve Resolution No. 16-122 with the proposed changes expressed by Councilmember Lang.

Councilmember Lang seconded the motion.

Mr. Vincent	Excused
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

### **RESOLUTION NO. 16-123, RATIFY THE CITY MANAGER'S RE-APPOINTMENT OF ABIGAIL DIZON-MAUGHAN AS CHAIR OF THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING AUGUST 9, 2016 AND ENDING JULY 1, 2018**

Mayor Bigelow presented proposed Resolution No. 16-123 that would ratify the City Manager's re-appointment of Abigail Dizon-Maughan as Chair of the Professional Standards Review Board for a term commencing August 9, 2016 and ending July 1, 2018.

Written information previously provided to the City Council included the following:

This resolution re-appoints Abigail Dizon-Maughan as Chair of the Professional Standards Review Board for a term commencing on August 9, 2016 and ending on July 1, 2018.

**MINUTES OF COUNCIL REGULAR MEETING – AUGUST 9, 2016**

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The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

Upon inquiry by Mayor Bigelow, the Council had no further questions or concerns.

Councilmember Christensen moved to approve Resolution No. 16-123, a resolution that would ratify the City Manager's re-appointment of Abigail Dizon-Maughan as Chair of the Professional Standards Review Board for a term commencing August 9, 2016 and ending July 1, 2018.

Councilmember Buhler seconded the motion.

Mr. Vincent	Excused
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

**MOTION TO ADJOURN**

Upon motion by Councilmember Huynh all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, AUGUST 9, 2016, WAS ADJOURNED AT 9:42 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, August 9, 2016.

---

Nichole Camac  
City Recorder

Item: \_\_\_\_\_  
Fiscal Impact: \_\_\_\_\_ N/A  
Funding Source: \_\_\_\_\_ N/A  
Account #: \_\_\_\_\_ N/A

Budget Opening Required: ☐

**ISSUE:**

Application: #GPZ-1-2016  
Applicant: West Valley City  
Location: 3060 W 3650 S and from 3015 to 3137 W Lehman Ave.  
Size: 7.6 acres

**SYNOPSIS:**

A General Plan change from Institutional or High Density Residential to Very High Density Residential and a zone change from R-2-8 (Residential Duplex, minimum lot size 8,000 square feet) and RM (Residential, Multi-family) to CC (City Center).

**BACKGROUND:**

The north nine subject parcels are all developed as duplexes which were built in the 60's and 70's and are privately owned. These properties fall within the City Center RDA. The Valley Fair Village Apartments, which include 100 very low income senior/disabled units, are on the larger subject parcel on the south. This property is owned by the Housing Authority of the County of Salt Lake (HACSL).

According to HACSL, federal funding to operate and maintain public housing properties has been shrinking. The Valley Fair Village units are now over 40 years old and will have more capital needs over the next five to ten years than the HACSL will have money to address. Hence, HACSL is pursuing the redevelopment of Valley Fair Village. The City's Housing Authority is working to acquire the 9 duplexes north of Valley Fair Village and plans to incorporate these properties into the Valley Fair Village redevelopment.

The proposed redevelopment project includes 267 units within 8 buildings. From the 7.6 total acres, 6.3 acres will be for the proposed residential development with the remaining 1.3 acres going toward the Promenade Park and a new dedicated street linking Lehman Avenue and Lancer Way. The resulting density is 42.4 units/acre. Buildings A, B and C on the Concept Site Plan are 5 stories, include stacked flat apartments and will surround a 330 stall parking structure. Buildings D, E and F are 2 story townhomes that will include a 2 car garage per unit. Buildings G and H are 2 story stacked flat apartments with single car garages.

Similar to other multi-family residential developments, a development agreement is proposed for this project. The development agreement addresses project design, amenities and phasing in Exhibits C and D and project management in Exhibit E.

**RECOMMENDATION:**

The Planning Commission recommends approval subject to a development agreement.

**SUBMITTED BY:**

Steve Pastorik, Assistant CED Director/Planning Director

July 18, 2016

Maria J Jacobs

3060 West 3650 South # 85

West Valley City, UT 84119

To Whom it may Concern:

This is a petition seeking to prevent a senior communities' conversion to a family development. The Salt Lake County Housing Authority, owners of the property, intend to demolish the present housing facility in order to construct larger apartments to house families primarily. This project is being undertaken by the Housing Authority under a recent program of the Department of Housing and Urban Development (HUD). The program was enacted to preserve federal subsidized housing and to improve residents living condition.

Instead, however, elderly residents living condition would significantly decline. Please help divert a situation that will otherwise be devastating to some of the most vulnerable members of society.

Very Truly Yours

Maria J Jacobs

Member, Tenant Committee

Chair, Resident Advisory Board

**RAD**

or the

**RESIDENT**

**ACCOMMODATION**

**DELUSION**

**RAD**, short for **Rental Assistance Demonstration**, is a recent program of the Department of Housing and Urban Development (HUD) intended to revitalize and preserve distressed federal supported housing thru private investments and low income tax credits.

**Valley Fair Village located in West Valley City**

**owned by the Housing Authority of the County of Salt Lake (HACSL)**

was selected to participate in HUD's Demonstration Program. Constructed in 1974, the Development consists of 26 clustered ground level buildings containing 100 one bedroom units that for more than 40 years have been **HOME** to seniors. In 2013 the Village was HUD designated for both the elderly and the disabled.

Under the RAD Program, the Housing Authority of the County of Salt Lake (HACSL) intends to demolish the present garden style structures and erect Townhomes and multi-story buildings. HACSL applied for very high density zoning in order to increase the number of bedrooms in units and maximize the number of units on the property.

HUD has strict guidelines for redevelopments under the RAD program, including resident involvement in the reconstruction plans, the relocation of Residents, and subsequent right to return to the property. Until recently, the involvement of Residents in the project consisted of input to the unit's feature's or amenities. Meetings consciously lacked transparency as to the intended extent or characteristic of the new development. HUD's most basic and pertinent requirement for resident participation in the formation of the plan, ideas and feedback for the communities' redevelopment, was bypassed and resident's participation simply consisted of a mere **DELUSION**.

HACSL has only just recently revealed its plan which is designed to convert the community from a senior to a family development. Because RAD provides for current residents the right to remain on or return to the property, HACSL plan is to simply mix the elderly residents in with larger families. HACSL has a high occupancy requirement and this anticipated new Development will overflow with children and minors. Hallways and common areas will become danger zones for elderly residents that will result in fall-related injuries and other physical and



psychological harms, and in effect force elderly residents in to isolation and confinement to units.

Nearly all of the senior residents are unable and disinclined to live under such harmful circumstances, most are fearful of the future, some will lose their independence, and some hope to die before having to leave. Regardless of economic status, Seniors need housing where they can safely age in place and with dignity.

According to a **Harvard Law School study on Seniors and the Fair Housing Act** titled: *For the rest of their Lives*, “older people face a variety of financial, social and emotional challenges that are unique to their age group and for those over 75, poor health, frailty and concern about physical safety increases significantly”. For elderly people, safety, a sense of community and other social factors are paramount, and where and how they live is a key determinant of the length and quality of their life.

In implementing the Senior Citizens Housing and Safety and Economic Relief Act, Congress recognized the particular needs of older people to live among their peers in age-restricted communities. “Senior Citizens should be allowed to live together in peace and quiet without fear for their safety” **Congressional Record HR 117 Page 29120 October 1995.**

The majority of Residents are either disabled or have a disability which interferes with functionality. Disability status is the characteristic most dramatically associated with old age. According to the 2000 Census, 42% of those 65 and over have a disability. The **U.S. Commission on Senior Affordable Housing** estimates that 1/3 of subsidized renters have difficulty performing at least some activities of daily living. And only “3.8% of housing units in the United States are suitable for individuals with moderate mobility difficulties” **www.leading age.org.**

Pursuant to Information provided by “A Quiet Crisis in America” a **Report to Congress from the Commission on Affordable Housing and Health Facility Needs for Seniors in the 21<sup>st</sup> Century, www.seniorscommision.gov** “There are nearly six times as many seniors with unmet housing needs as are currently served by rent-assisted housing. Seniors may encounter significant difficulties in locating acceptable units. Housing Choice Vouchers are limited in their utility for older seniors with physical impairments or transportation problems. Those difficulties may be compounded in areas of the Country with low vacancy rates or where fair-market rents lag behind market rents”. “The growth in the number of seniors is staggering, today (released in 2002) one in twelve persons is 65 years of age or older. In the year 2020 it will be one in six. We believe that the needs of poor elderly are indeed the most urgent”. In a partisan meeting of former HUD Secretaries, it was noted “Our nation is aging and millions of older adults will struggle to find housing that is safe, affordable and physically suitable

In a recently released **HUD –Commissioned Study**, 7 percent of respondents were elderly households. Of those respondents, persons age 62 and older had only a 54 percent success rate in finding appropriate housing using the voucher program. By contrast, households headed by persons under the age of 25 had a 73 percent success rate and households headed by persons

aged 25 to 62 had a 68 percent success rate.”. **Commission Report to Congress supra.** According to **AARP** there are currently more than nine Seniors on the waiting list for each available Section 202 unit, a major federal housing assistance program for older persons, which is currently losing large amounts of units to more thriving resources.

Statistics show 12% of those 65 or older are living in poverty: **www.senior living.org.** For those receiving merely Social Security and/or Supplemental Social Security and with little assets, attaining affordable housing on a low to very low income is more difficult than for Persons on moderate income.

According to the **Aging Initiative Report published by the University of Utah** “The largest growth in the older population will occur in the age 65 to 85 population between the years 2011 and 2030”.

HACSL intends to provide Residents with “Relocation Specialists” however, there are few if any places that the low income Valley Fair Village Residents may qualify for. In Salt Lake County, affordable, accessible and age appropriate housing is scarce and there are long waiting lists. Ultimately, most Residents have nowhere else to go.

“HUD philosophically supports a Compassionate Community” **Federal Register on the Implementation of the Housing for Older Persons Act Code 24 of Federal Regulation, Part 100.** Any change in configuration of units in federally-assisted housing is subject to scrutiny under the Fair Housing Act **24 Code of Federal Regulations § 100.400.** HACSL’s redevelopment plan, if endorsed, would not only greatly change life for the senior residents, but most of all would diminish their quality of life. Elderly residents would be unable to make use of common areas, they would have to live isolated from companionship, and without positive and safe social activities.

Some Occupants have lived at Valley Fair Village for 15 to 20 years. Residents have formed friendships, will look out for each other and help each other. Revitalization under the RAD program cannot and should not force residents into negative options. Any redevelopment plan should only be decreed with full consideration of the elderly occupants.

Residents moved to Valley Fair Village on the basis of the Community’s age restriction and have rightful and reasonable expectations that under RAD’s preservation plan it will remain in most part a senior community.

Valley Fair Village Resident Association

**WEST VALLEY CITY, UTAH**

**ORDINANCE NO. \_\_\_\_\_**

Draft Date: \_\_\_\_\_  
Date Adopted: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**AN ORDINANCE AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM INSTITUTIONAL OR HIGH DENSITY RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 3060 W 3650 S AND FROM 3015 TO 3137 W LEHMAN AVE. ON 7.6 ACRES.**

**WHEREAS**, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed General Plan amendment pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

**WHEREAS**, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

**WHEREAS**, the City Council of West Valley City finds that such General Plan amendment should be made;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of West Valley City, Utah that the General Plan be amended as follows:

**SECTION 1. GENERAL PLAN AMENDMENT.**

The properties described in Application #GPZ-1-2016, filed by West Valley City and located at 3060 W 3650 S and from 3015 to 3137 W Lehman Ave. within West Valley City, are hereby amended by reclassifying the following described properties from Institutional or High Density Residential to Very High Density Residential. Said properties are more particularly described as follows:

PARCEL #: 15-33-105-020

BEG ON N LINE OF 3650 SOUTH STREET, S 0°00'20" W 1350.32 FT & N 89°56'20" E 396 FT & N 0°00'20" E 25 FT FR NW COR SEC 33, T 1S, R 1W, SL MER, N 89°56'20" E 589.5 FT; N 0°00'20" E 240.97 FT; N 89°56'20" E 54.5 FT; N 0°00'20" E 130.26 FT; S 89°56'20" W 739.9 FT; S 0°00'20" W 201.54 FT; N 89°56'20" E 95.9 FT; S 0°00'20" W 169.02 FT TO BEG. 5.63 AC.

PARCEL #: 15-33-105-012  
LOT 33 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-011  
LOT 32 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-010  
LOT 31 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-009  
LOT 30 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-008  
LOT 29 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-007  
LOT 28 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-006  
LOT 27 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-005  
LOT 26 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-004  
LOT 25 LEHMAN SUBDIVISION

## **SECTION 2. GENERAL PLAN MAP AMENDMENT.**

The West Valley City General Plan Map shall be amended to show the change.

## **SECTION 3. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon posting, as required by law.

**DATED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

WEST VALLEY CITY

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MAYOR

ATTEST:

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CITY RECORDER

**WEST VALLEY CITY, UTAH**

**ORDINANCE NO. \_\_\_\_\_**

Draft Date: \_\_\_\_\_  
Date Adopted: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A  
CHANGE OF ZONE FOR PROPERTY LOCATED AT 3060 W 3650 S  
AND FROM 3015 TO 3137 W LEHMAN AVE. FROM R-2-8  
(RESIDENTIAL DUPLEX, MINIMUM LOT SIZE 8,000 SQUARE  
FEET) AND RM (RESIDENTIAL, MULTI-FAMILY) TO CC (CITY  
CENTER)**

**WHEREAS**, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

**WHEREAS**, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

**WHEREAS**, the City Council of West Valley City finds that such zoning change should be made;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of West Valley City, Utah:

**SECTION 1. ZONING CHANGE.**

The properties described in Application #GPZ-1-2016, filed by West Valley City and located at 3060 W 3650 S and from 3015 to 3137 W Lehman Ave. within West Valley City, are hereby classified from zones R-2-8 (Residential Duplex, minimum lot size 8,000 square feet) and RM (Residential, Multi-family) to CC (City Center), said properties more particularly described as follows:

PARCEL #: 15-33-105-020

BEG ON N LINE OF 3650 SOUTH STREET, S 0°00'20" W 1350.32 FT & N 89°56'20" E 396 FT & N 0°00'20" E 25 FT FR NW COR SEC 33, T 1S, R 1W, SL MER, N 89°56'20" E 589.5 FT; N 0°00'20" E 240.97 FT; N 89°56'20" E 54.5 FT; N 0°00'20" E 130.26 FT; S 89°56'20" W 739.9 FT; S 0°00'20" W 201.54 FT; N 89°56'20" E 95.9 FT; S 0°00'20" W 169.02 FT TO BEG. 5.63 AC.

PARCEL #: 15-33-105-012

LOT 33 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-011

LOT 32 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-010

LOT 31 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-009

LOT 30 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-008

LOT 29 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-007

LOT 28 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-006

LOT 27 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-005

LOT 26 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-004

LOT 25 LEHMAN SUBDIVISION

**SECTION 2. ZONING MAP AMENDMENT.**

The West Valley City Zoning Map shall be amended to show the change.

**SECTION 3. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon posting, as required by law.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

WEST VALLEY CITY

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MAYOR

ATTEST:

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CITY RECORDER



**GPZ-1-2016 MINUTES**  
**JULY 13, 2016 PLANNING COMMISSION PUBLIC HEARING**

**GPZ-1-2016**

**West Valley City**

**3060 W 3650 S and 3015 to 3137 W Lehman Avenue**

**General Plan Change from institutional and high density residential to very high density residential**

**Zone change from R-2-8 and RM to CC**

**7.6 acres**

West Valley City has submitted a General Plan/zone change application for 10 parcels totaling 7.6 acres at 3060 W 3650 S and from 3015 to 3137 W Lehman Avenue. The property is currently zoned R-2-8 (residential duplex, minimum lot size 8,000 square feet) and RM (residential multi-family) with a General Plan designation of institutional and high density residential (12 to 20 units/acre). The proposed zone is CC (City Center) and the proposed General Plan designation is very high density residential (over 20 units/acre).

Surrounding zones include RM and R-2-8 to the east and west, R-1-8 to the south and R-2-8 and CC to the north. Surrounding land uses include condos and the City's Promenade Park to the east, single family homes to the west, and a combination of duplexes and single family homes to the north and south.

**Background**

The north nine subject parcels are all developed as duplexes which were built in the 60's and 70's and are privately owned. These properties fall within the City Center RDA. The Valley Fair Village Apartments, which include 100 very low income senior/disabled units, are on the larger subject parcel on the south. This property is owned by the Housing Authority of the County of Salt Lake (HACSL).

Years ago when the City Center Vision (now the Fairbourne Station Vision) was first adopted, the City assumed that the Valley Fair Village Apartments would not be redeveloped for the foreseeable future. However, HACSL later approached the City about the possibility of redeveloping these units that were built in 1974 as public housing. According to HACSL, federal funding to operate and maintain public housing properties has been shrinking. The Valley Fair Village units are now over 40 years old and will have more capital needs over the next five to ten years than the Housing Authority will have money to address. Hence, HACSL's interest in redeveloping the property.

The City is working to acquire the 9 duplexes and plans to incorporate these properties into the redevelopment for several reasons. First, it will improve circulation within Fairbourne Station by introducing a new road that connects Lehman Avenue and Lancer Way. Second, as with the ICO development, it replaces older duplexes with new residential development that compliments Fairbourne Station. Third, it will create a better design that faces both Lehman Avenue and Lancer Way and incorporates significant amenities. Fourth, acquiring these duplexes will also

facilitate the completion of the Promenade Park. Finally, it allows the City's Housing Authority to reinvest the proceeds from the sale of its housing units by acquiring the duplexes.

### Development Proposal

The proposed redevelopment project includes 267 units within 8 buildings. From the 7.6 total acres, 6.3 acres will be for the proposed residential development with the remaining 1.3 acres going toward the Promenade Park and a new dedicated street linking Lehman Avenue and Lancer Way. The resulting density is 42.4 units/acre. For reference, the density of The Residences at Fairbourne Station to the northeast is 78.7 units/acre. Buildings A, B and C on the Concept Site Plan are 5 stories, include stacked flat apartments and will surround a 330 stall parking structure. Buildings D, E and F are 2 story townhomes that will include a 2 car garage per unit. Buildings G and H are 2 story stacked flat apartments with single car garages. The project is proposed to be built over four phases to take advantage of low income housing tax credit (LIHTC) financing. Assuming project financing is secured as planned, the first phase will begin in 2017 with each succeeding phase beginning one year from the previous phase.

The table below summarizes the mix of units by building:

Building	1 Bedroom	2 Bedroom	3 Bedroom	Totals
A	31	39	13	83
B	35	24	10	69
C	44	20	10	74
D	0	0	5	5
E	0	0	7	7
F	0	0	5	5
G	8	4	0	12
H	8	4	0	12
Totals	126	91	50	267
Percent of Total	47%	34%	19%	100%

The following table summarizes the parking reductions allowed by the Zoning Ordinance as they relate to this project:

	1 Bedroom	2 Bedroom	3 Bedroom	Totals	Overall Stalls/Unit
Required parking without allowed reductions - (2 stalls/unit)	252	182	100	534	2
Required parking with allowed parking code reductions by Planning Commission – (1.5 stalls/1 bedroom unit, 1.75 stalls/2 bedroom unit, 2 stalls/3 bedroom unit)	189	159	100	448	1.68
Required parking with allowed CC Zone reduction – (10%)	170	143	90	403	1.51
Proposed Number of Stalls				461	1.73

Staff is supportive of the number of stalls proposed for several reasons. First, the existing 100 Valley Fair Village 1 bedroom units, which are for low income senior/disabled persons, are parked at less than 1 stall/unit. The proposed project will also include 100 units for low income senior/disabled individuals to replace the units to be demolished. Second, the Harvey Street redevelopment, which includes the Willow Park (2 and 3 bedroom income restricted family units) and Gerald Wright Villas (1 bedroom low income senior units), provides a good comparable. Located about ¼ mile west, these two projects combined have a very similar unit mix and have an overall parking ratio of 1.44 stalls/unit. Finally, the market rate Residences at Fairbourne Station with a combination of 1, 2 and 3 bedroom units is parked at 1.5 stalls/unit.

### **Development Agreement**

Similar to other multi-family residential developments, a development agreement is proposed for this project. The development agreement addresses project design, amenities and phasing in Exhibits C and D and project management in Exhibit E. These Exhibits are attached for reference. Since HACSL currently only owns the south 5.6 acre parcel, the development agreement allows the nine other properties to the north to be included as they are acquired.

The City Center Zone allows exceptions to the requirements of the Zone through a development agreement. This was done for the Embassy Suites, The Residences at Fairbourne Station and Granger Medical. For this project, two exceptions are requested as outlined in Exhibit C of the development agreement. These proposed exceptions are described below:

1. The ordinance requires fence materials to be masonry or wrought iron style metal. The first exception request is to allow vinyl fencing along Lancer Way (3650 South).
2. The ordinance requires a minimum building height of 5 stories or 60' for all buildings except the three townhome buildings along the south portion of the property (Buildings D, E and F on the Concept Site Plan in Exhibit D). The second exception request is to allow a 2 story minimum height for the two buildings along the west side of the property (Buildings G and H on the Concept Site Plan in Exhibit D).

### **Fairbourne Station Vision Development Objectives**

In staff's opinion, the proposed redevelopment project will accomplish several of the development objectives outlined in the Fairbourne Station Vision, which is part of the General Plan. These objectives, along with descriptions of how this proposed development will meet the objectives, are listed below:

- Objective: Add 1,000 dwellings with a variety of housing types and prices to create an urban environment and to help support area retail.
  - This project will add 267 units in an urban format to the existing 225 units built by ICO in The Residences at Fairbourne Station. By way of information, ICO has begun design work on their second phase which is anticipated to include roughly the same number of units as the first phase. Upon completion, these three projects will total an estimated 717 units. This project also introduces townhomes to Fairbourne Station and will be a mixed income project whereas The Residences at Fairbourne Station were all market rate units.
- Objective: Create a varied and unique built environment reflecting excellence in architecture, landscaping and design.

- The proposed project design includes a variety of buildings that will complement existing and future buildings. The main 5 story building comprised of Buildings A, B and C will add to the urban environment along Lehman Avenue with close placement to the street, substantial building relief and significant use of brick. This main building is unique yet complementary to ICO's first phase of the Residences at Fairbourne Station as well as the second phase which ICO has begun design work on. One example of the project's uniqueness is found in its parking structure design. The Residences at Fairbourne Station project includes parking on most of the ground level or podium parking. The main building for this project wraps units around the parking structure on all floors including the ground floor. Buildings D – G were designed to taper or step down the density and height of the project to create a transition area or buffer for the neighboring, lower density residential uses to the south and west.
- Objective: Build new streets to improve circulation and provide access to new development.
  - The City is currently constructing a new road at 3030 West between 3500 S and Lehman Avenue. The proposed road along the east side of this project will extend this road south to Lancer Way.
- Objective: Facilitate the redevelopment of aging residential and commercial developments.
  - This project will redevelop existing residential buildings constructed in the 60's and 70's.
- Objective: Complete the Promenade to provide a centralized public open space.
  - This project will provide a part of the property needed to complete the second phase of the Promenade Park.

### **Resolution on Housing Insecurity and Homelessness**

The County and State have been working to find solutions to reduce homelessness and create more affordable housing. To show the City's ongoing support in these efforts, the City Council recently passed the attached resolution setting forth and reaffirming West Valley City's commitment to fight housing insecurity and homelessness. This resolution included the following direction for City staff: "The City Council directs staff to pursue the development of additional affordable housing units in and around the City Center zone. The City Council further directs staff to ensure that these units are of the highest quality and that these units are managed and maintained at the highest level."

### **Staff Alternatives:**

- Approval of the General Plan/zone change subject to the proposed development agreement.
- Continuance, for reasons determined at the public hearing.
- Denial of the General Plan/zone change.

**Discussion:** Commissioner Woodruff disclosed that the Salt Lake County Housing Authority has been his client in the past, but he is not involved in this project and will make a decision based on the best interest of the City. Commissioner Meaders asked what will require the Salt Lake County Housing Authority to replace the existing 100 one-bedroom units, it is not specified in the development agreement. Brandon Hill said the replacement of the existing 100 housing units are required by HUD in terms of approval for this project. In order to demolish the old units, they must be incorporated into the new units. Steve Pastorik said amenities won't all be constructed in one phase, but will be constructed incrementally with each phase.

Commissioner Matheson said 10-11 units will be torn down with the first phase of the project. Is there any provision for the people who will be displaced? Steve Pastorik said the Housing Authority plans to offer relocation assistance to those who will be displaced in the first phase. Their intent is to phase this project in such a way as to minimize displacement as much as possible. Once the first phase is complete, the Housing Authority will offer the residents of the remaining units the opportunity to move into the completed first phase, if they desire.

Troy Hart from the Salt Lake County Housing Authority said the relocation process for residents displaced in the demolition of the old housing units is a very prescriptive process requiring that a consultant be hired. The Housing Authority will set aside Section 8 vouchers. Moving costs will be paid for any displaced residents, including packing up and moving them for the 12 month construction period. Relocation costs will also be paid and they will have first right of return. Otherwise, they can use the Section 8 voucher and that will be paid for. Some displaced residents will move in with relatives for the 12 month period, some will get an apartment, and some will permanently relocate at the cost of the Salt Lake County Housing Authority.

Commissioner Meaders asked if there is an appeals or complaints process regarding relocation proceedings for displaced tenants. Troy Hart answered yes, they will have an advocate that works with them directly through the process.

Maria Jacobs lives at Valley Fair Village, Unit #85. She feels this will not be a senior-friendly community. She is concerned about the displacement of these people who have been part of the community for over 40 years. Because senior/low income housing is very much in demand, she feels it will be difficult, even with a relocation specialist, to find a place for them to live. Maria Jacobs indicated that she has collected over 81 signatures from people who do not agree with this development. She is working on a letter that she said she will send by the end of the week. She feels that when seniors are mixed with kids on a property, it puts seniors at risk for being run in to, falling, and breaking bones. She noted that breaking a hip at that age can be very devastating. She feels this plan needs to be better looked at and evaluated. Safety is one of the most important issues for elderly people, and to live in peace.

Vonnay Lucas, 4399 West Tidwell, owns a duplex on 3040 and 3042 West Lehman Ave. Vonnay Lucas said she was told that an 8' fence would be installed next to her duplex so

her tenants will be free of problems related to the new construction. She said she was told that fence would go up around June 1. Now she said she is being told the fence will go up in another 3 months. She indicated her renters have animals that are having problems because of the construction. Steve Pastorik said our Public Works Department is managing the construction process. He asked Vonnay Lucas to leave her phone number so he can get her in contact with someone from the Public Works Department.

Commissioner Matheson said there is a shortage of senior housing in West Valley City. He was recently unable to find any housing for his mother-in-law in West Valley and had to move her to another city. He feels this project will give us more of the type of housing that we need. At least 100 of these units will be set aside for seniors. He feels the relocation process should go smoothly and the City is trying to be as considerate as they can be to these residents.

Troy Hart said this project was originally designated as a senior project, a HUD public housing project, section 18. The rents were limited to \$472 per unit. The rent being charged doesn't cover the cost of the project. We have seen the trajectory for these types of facilities decline over the years. In order to augment those costs, we need to make this a family project and increase the unit sizes. There is a large waiting list for families, which is why we are integrating families into this senior project. We are seeing grandparents raising grandchildren, which requires larger bedroom sizes. We feel we are taking care of a multitude of issues in the community that align with our waiting list, the needs of the community, and a need to keep a portion of this for seniors.

Brent Fuller noted there are 100 seniors in the current housing unit. Will we increase the number of units serving our lower income seniors? Troy Hart noted that people tend to live in like communities, so there may be a migration of more seniors into the project. Right now the project is designated as a family unit project, not for seniors only. We are pursuing low income housing tax credits funded by a federal program that provides equity to apartment complexes and help to subsidize lower rents for communities. We are looking at an application on October 2016 and will probably be breaking ground in 2017. Each of the subsequent four phases will be completed in 12 month periods.

Troy Hart said we are losing 18 senior housing units in the initial demolition and we will be integrating 30 in the new construction. Most of the seniors can stay on site. Brent Fuller asked if the seniors will be spread throughout the complex. Troy Hart feels the 2 story flats would be preferable to seniors. There will be greenspace behind these with planter boxes. The rest of the seniors will be integrated into the larger building. Selection will be first come first served. They will pay no more than 30% of their income, as they are presently paying today. The larger building and two story buildings will be elevator serviced and the townhomes will not have elevator service.

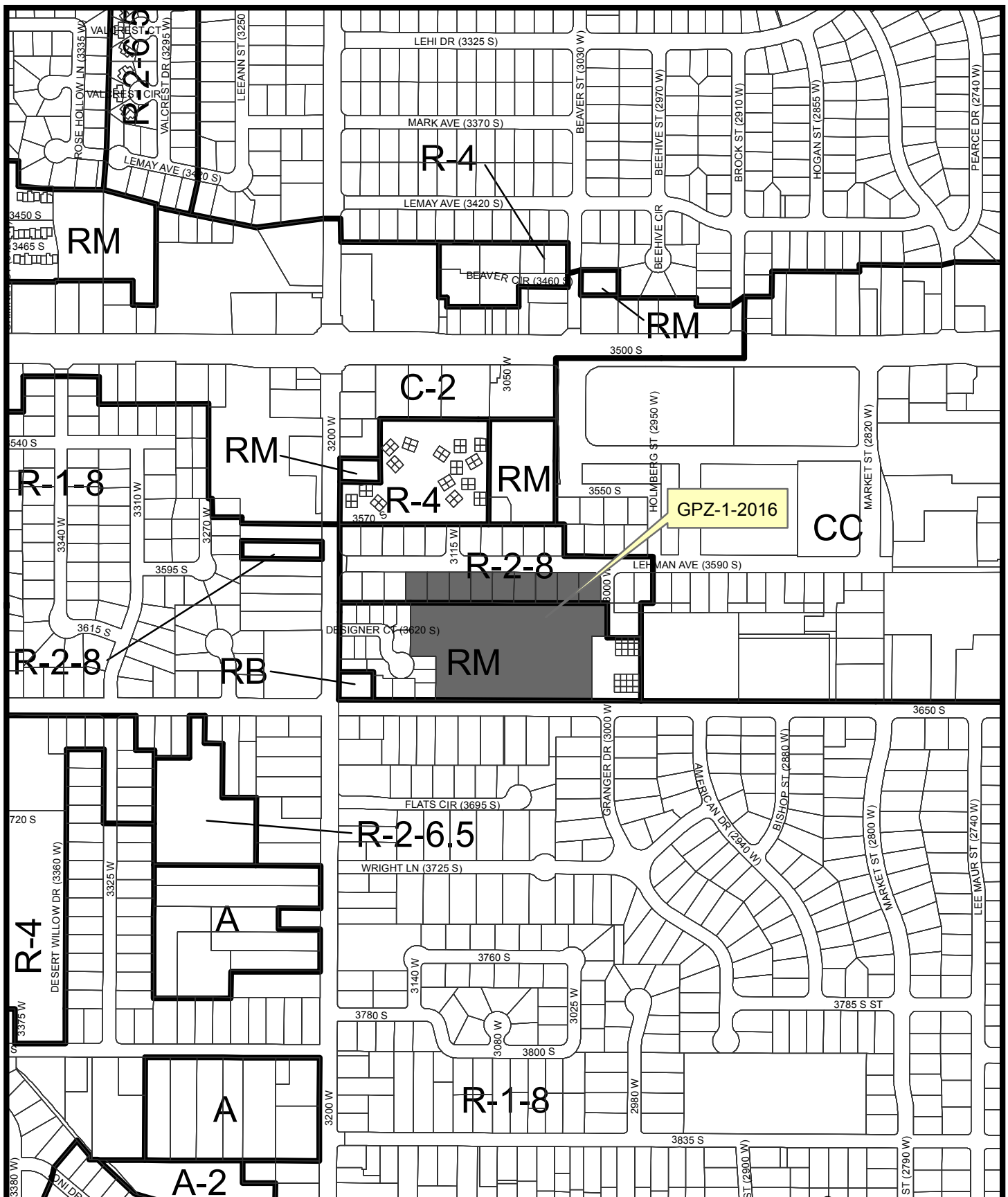
**Motion:** Commissioner Woodruff moved to approve GPZ-1-2016 subject to the development agreement.

Commissioner Matheson seconded the motion.

**Roll call vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes

**Unanimous – GPZ-1-2016 – Approved**



GPZ-1-2016

# West Valley City

3060 W 3650 S and 3015 to 3137 W Lehman Ave.



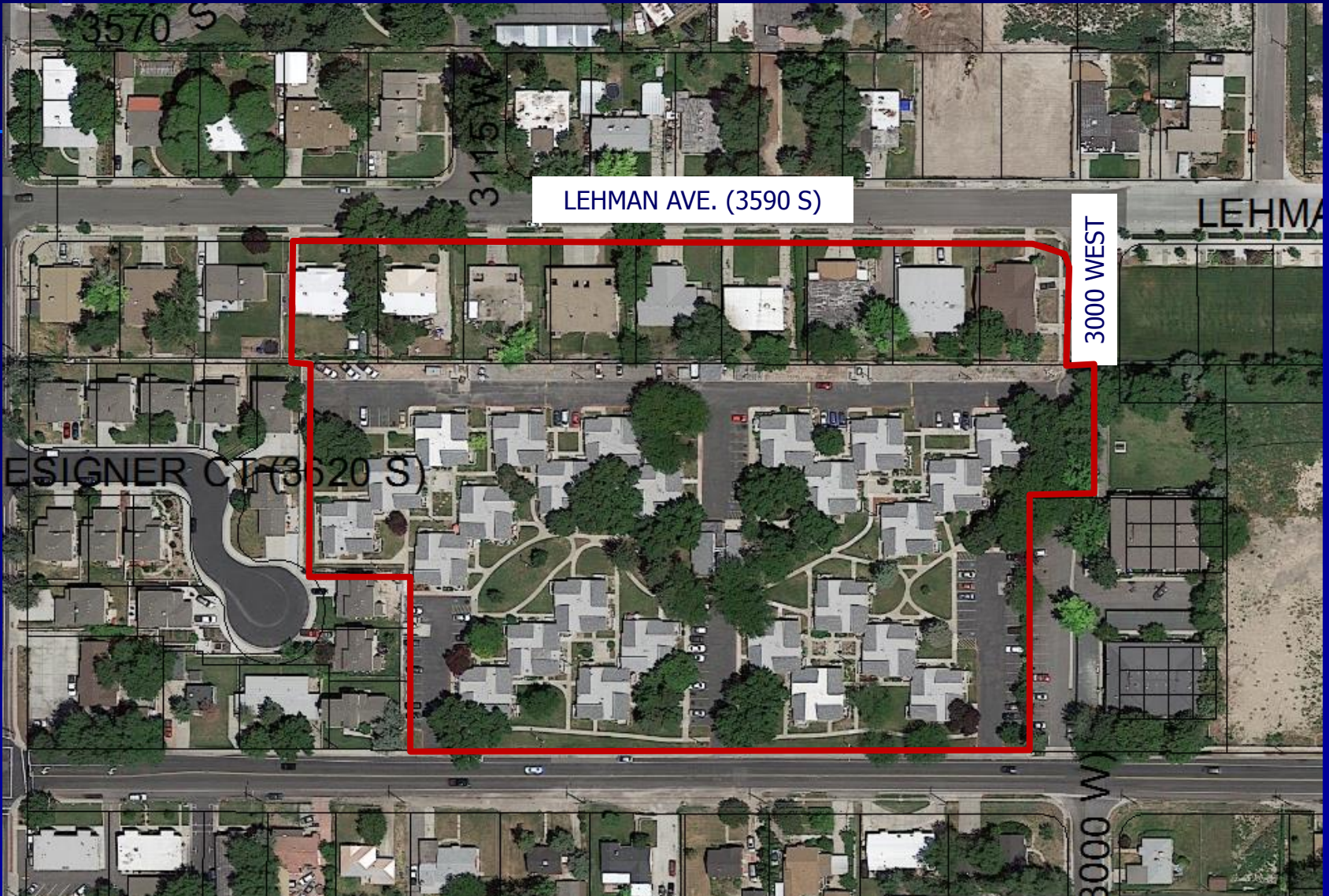


**GPZ-1-2016** Petition by **WEST VALLEY CITY** requesting a **General Plan change** from Institutional or High Density Residential to Very High Density Residential and a **zone change** from R-2-8 (Residential Duplex, minimum lot size 8,000 square feet) and RM (Residential, Multi-family) to CC (City Center). The property is located at 3060 W 3650 South and from 3015 to 3137 West Lehman Ave. on 7.6 acres. (Staff - **Steve Pastorik** at 801-963-3545)





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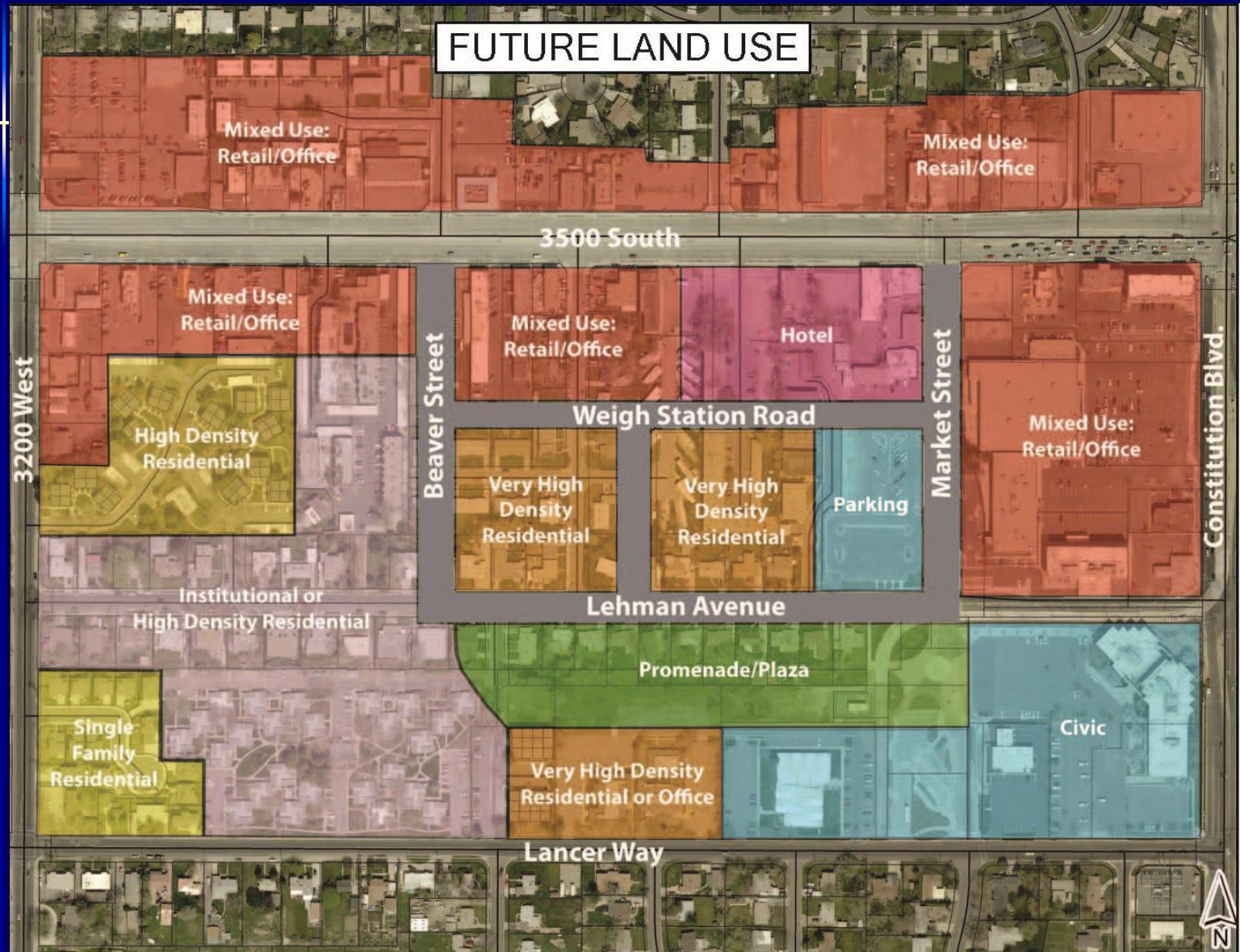


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West Valley Promenade

5.10.2011



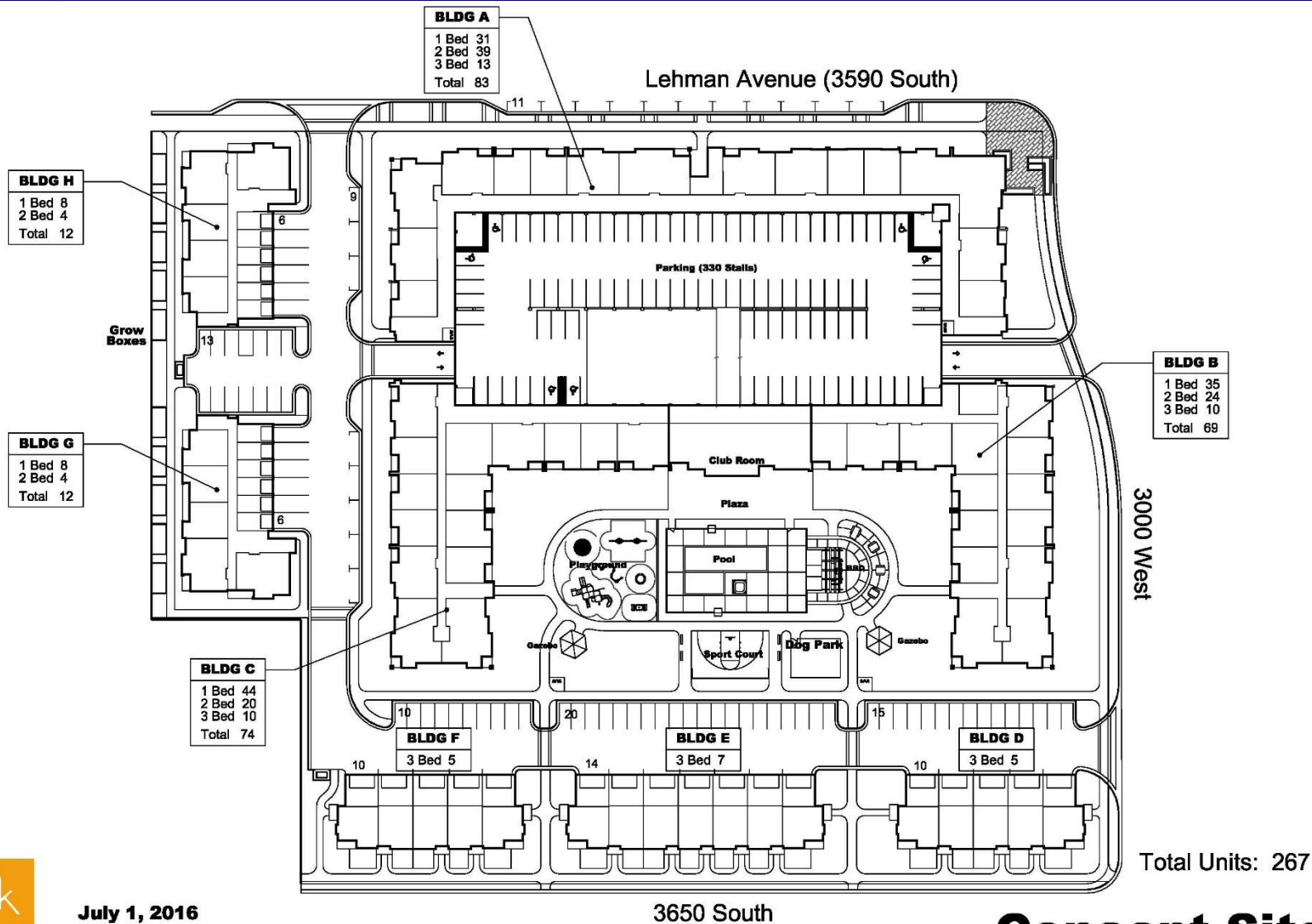
**GSBS** ARCHITECTS



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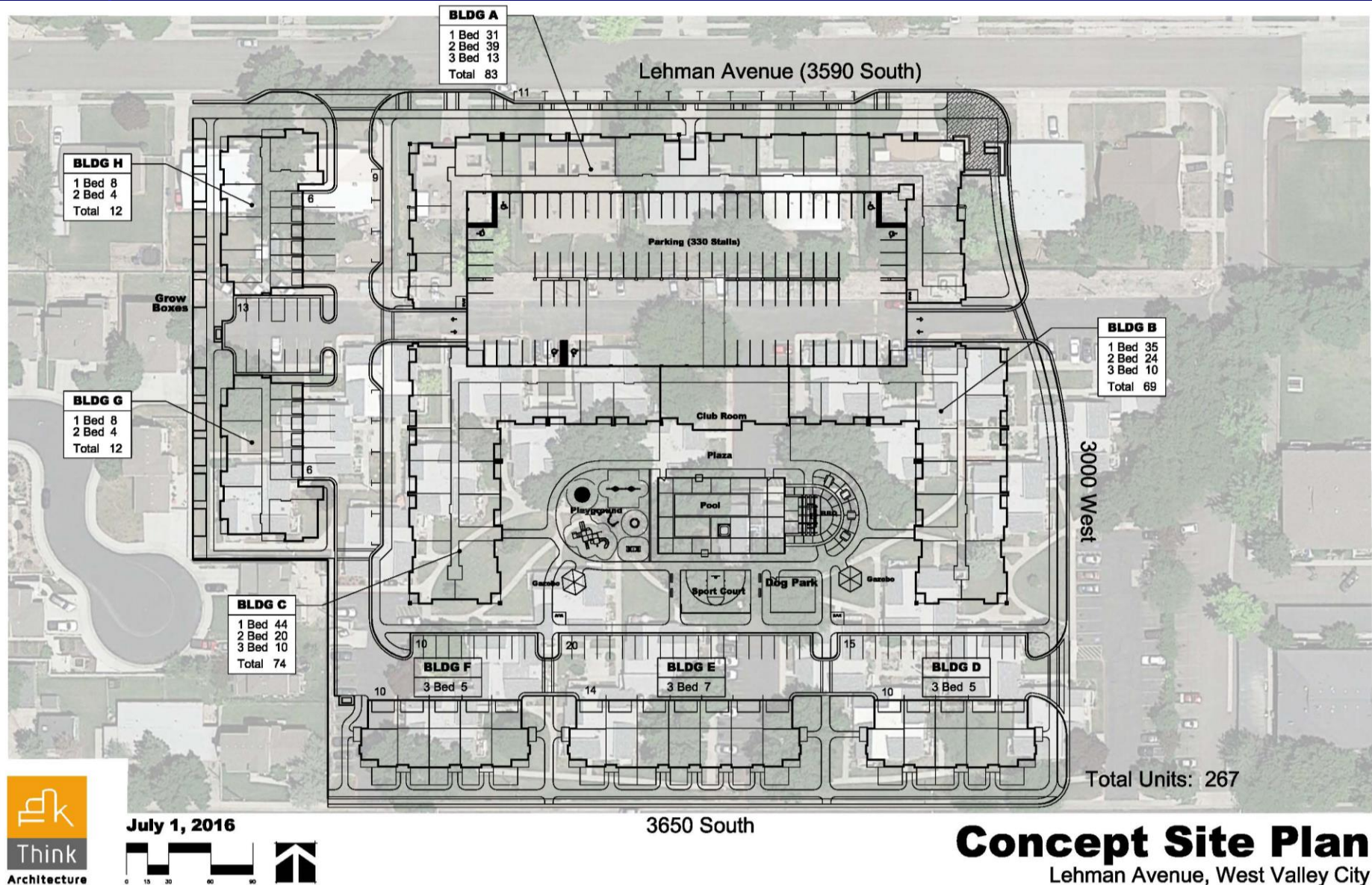


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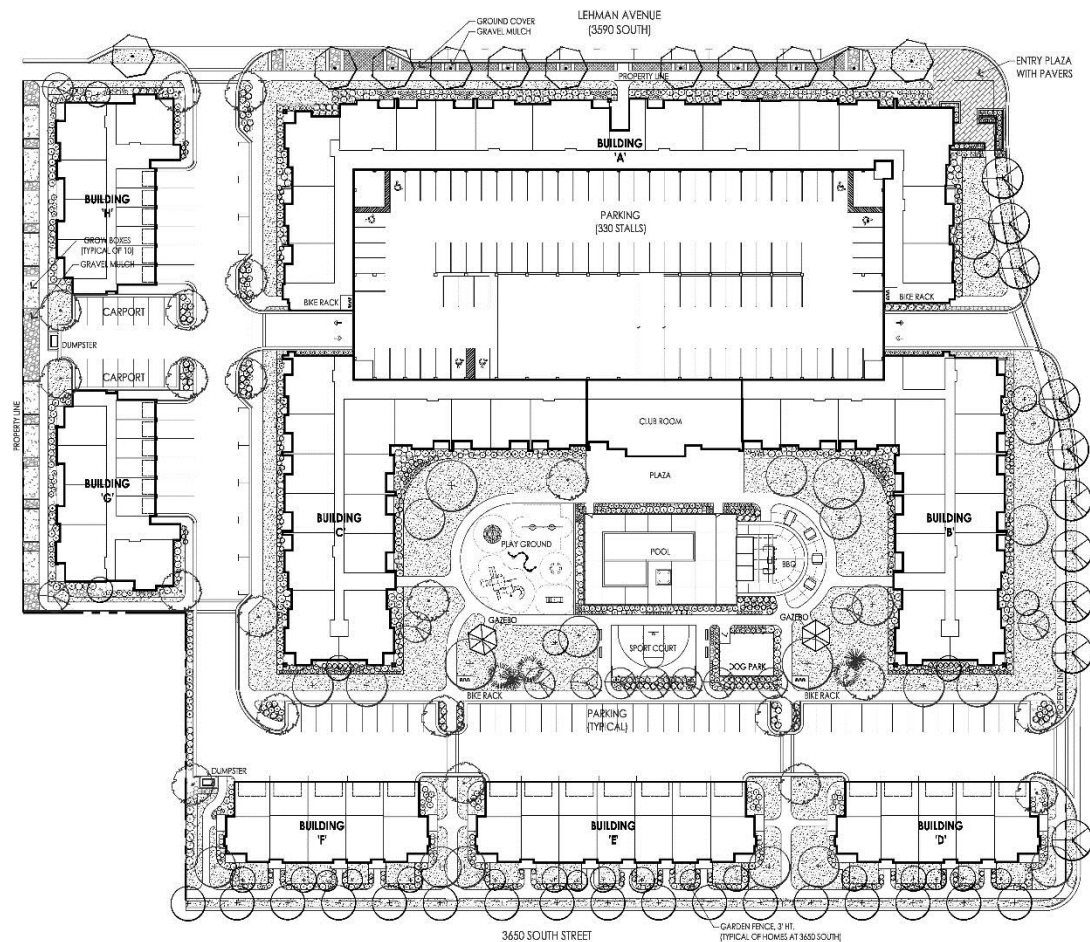

















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### PLANTING LEGEND

- |  |  |
|--|--|
|   | <b>EVERGREEN TREES</b><br>ASH TRIM TREE<br>SACRED SPICE  |
|   | <b>SHADE TREES</b><br>BURR GUM<br>DREVE VINE BRIDGVA AT 5000 SOIL FRONTAGE<br>CROWN DREVE AT 5000 SOIL FRONTAGE<br>METABAL MACE - ALTERNATE VINE FRONTAGE<br>OCCIDENTAL GUM ALIVE<br>BACCHAGE TREE CROWN GUM |
|   | <b>ORNAMENTAL &amp; FLOWERING TREES</b><br>COLUMBIA SCAFFER FLOWERING CHERRY<br>FLAME MAPLE<br>DELIVER TREES CALIFLY YEAR  |
|   | <b>SHRUBS</b><br>ARIBETWOOD POTENTILLA<br>ALIVE CHERRY<br>COLUMBIA WINTERBERRY<br>BLUE MITT SPREA<br>BURNALD LARVIA<br>ORNAMENTAL LILAC  |
|   | <b>SHRUBS</b><br>DWARF MUGO TREE<br>DWARF SPEDICED GUM<br>COLUMBIA POTENTILLA<br>KELTER DUNE DOWWOOD<br>CROWN GUM<br>MITT LILAC  |
|   | <b>SHRUBS</b><br>NEON LILAS SPREA<br>FLUTE LILAC LARVIA<br>PINK LILAC LARVIA<br>WINTER GUM<br>SUGAR WINE NINE BARK   |
|   | <b>ORNAMENTAL GRASSES</b><br>BLUE DUT GRASS<br>GAIN POTENTILLA<br>FEATHER TREE<br>PINE AUBURGRASS  |
|   | <b>PERENNIALS</b><br>BLUE GUM SHAD SALVIA<br>ARIBETWOOD POTENTILLA<br>DREVE SAVYGRASS<br>CROWN GUM<br>SUGAR WINE NINE BARK   |
|   | <b>PERENNIALS</b><br>HAPPY BELIND DAILY<br>ARIBETWOOD POTENTILLA<br>STELLA DE CRO DAILY<br>PINE AUBURGRASS   |
|   | <b>PERENNIALS</b><br>ASHES CRO SHREVEWAT FLOEA<br>SHARDED GARD HODIA   |
|  | <b>LAWN / TURF</b><br>CROWN GUM<br>ALIBURGRASS   |
|  | <b>GROUND COVER</b><br>MITT LILAC SPREA<br>PINK LILAC LARVIA<br>WINTER GUM<br>SUGAR WINE NINE BARK   |
|  | <b>SHRUBS PLANTING BED</b><br>MITT LILAC SPREA<br>PINK LILAC LARVIA<br>WINTER GUM<br>SUGAR WINE NINE BARK  |

## OPEN SPACE TABULATION

TOTAL AREA WITHIN PROPERTY BOUNDARY	274,804 sf	100%
BUILDING FOOTPRINT (buildings A-H and club room)	91,721 sf	
PARKING STRUCTURE	38,153 sf	
ON GRADE PARKING	45,323 sf	
TOTAL HARD SURFACE	176,197 sf	64%
TOTAL OPEN SPACE	98,607 sf	36%



L101  
LANDSCAPE

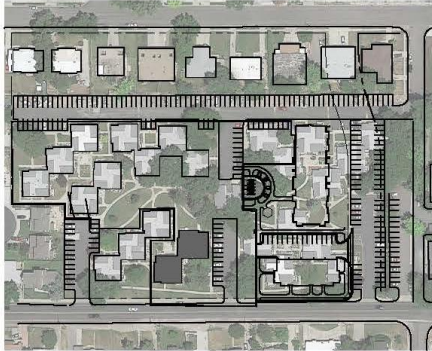


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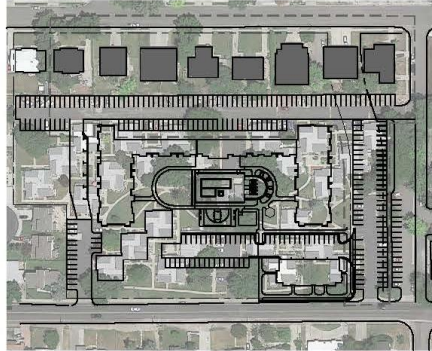
### Phase One Phase 1 Demolition



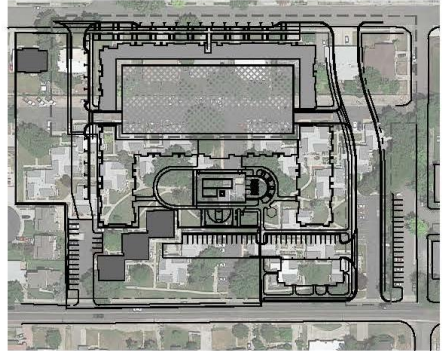
### Phase Two Phase 2 Demolition



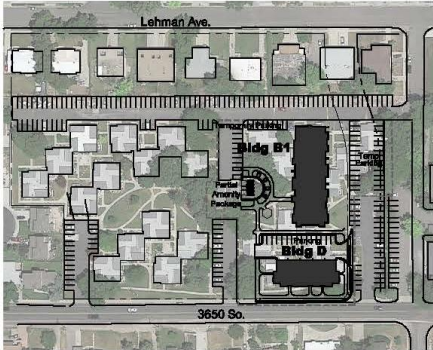
### Phase Three Phase 3 Demolition



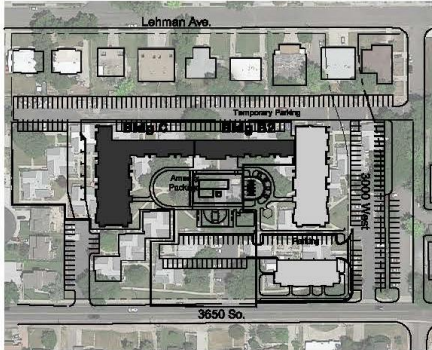
### Phase Four Phase 4 Demolition



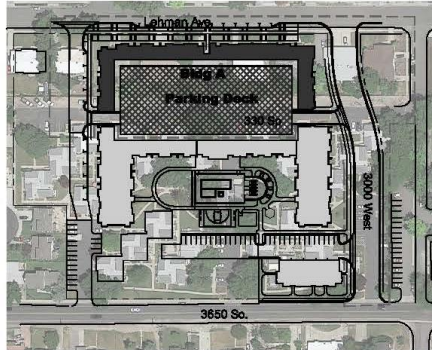
### Phase 1 Construction



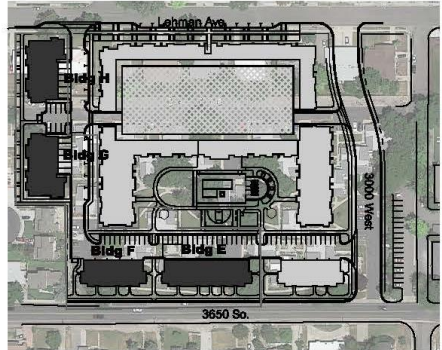
### Phase 2 Construction



### Phase 3 Construction



### Phase 4 Construction



	1 Bed	2 Bed	3 Bed	
Bldg B1 (East)	30	10	10	50 Units
Bldg D			5	5 Units
Existing Units	56			56 Units
Total Units	86	10	15	111 Units
Total Parking Spaces				229 Sp

(2.06 Sp/Unit)

	1 Bed	2 Bed	3 Bed	
Bldg B2	5	14		19 Units
Bldg C	44	20	10	74 Units
Existing Units	12			12 Units
Total Units (Phase 1)	30	10	15	55 Units
Total Units	91	44	25	160 Units
Total Parking Spaces				265 Sp

(1.65 Sp/Unit)

	1 Bed	2 Bed	3 Bed	
Bldg A	31	39	13	83 Units
Existing Units	12			12 Units
Total Units (Phases 1 & 2)	79	39	25	143 Units
Total Units	122	78	38	238 Units
Total Parking Spaces				420 Sp

(1.76 Sp/Unit)

	1 Bed	2 Bed	3 Bed	
Bldg E & F			12	12 Units
Bldg G & H	16	8		24 Units
Total Units (Phases 1-3)	110	83	38	231 Units
Total Units	126	91	50	267 Units
Total Parking Spaces				460 Sp

(1.72 Sp/Unit)



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NORTH-EAST PERSPECTIVE

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NORTH-WEST PERSPECTIVE



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SOUTH-WEST PERSPECTIVE

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EAST PARKING STRUCTURE BRIDGE



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WEST PARKING STRUCTURE BRIDGE

**GPZ-1-2016** Petition by **WEST VALLEY CITY** requesting an **amendment to the General Plan** of West Valley City by reclassifying the following described property from Institutional and High Density Residential to Very High Density Residential and a **zone change** from R-2-8 (Residential Duplex) and RM (Residential Multi-Family) to CC (City Center). The property is located at 3060 W 3650 S & 3015-3037 W Lehman Ave on 7.6 acres. (Staff – **Steve Pastorik** at 801-963-3545)





**GPZ-1-2016** Petition by **WEST VALLEY CITY** requesting an **amendment to the General Plan** of West Valley City by reclassifying the following described property from Institutional and High Density Residential to Very High Density Residential and a **zone change** from R-2-8 (Residential Duplex) and RM (Residential Multi-Family) to CC (City Center). The property is located at 3060 W 3650 S & 3015-3037 W Lehman Ave on 7.6 acres. (Staff – **Steve Pastorik** at 801-963-3545)



SOUTH-WEST TOWNHOMES



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Item: \_\_\_\_\_  
Fiscal Impact: \_\_\_\_\_ N/A  
Funding Source: \_\_\_\_\_ N/A  
Account #: \_\_\_\_\_ N/A  
Budget Opening Required: ☐

**ISSUE:**

A resolution authorizing the City to enter into a development agreement with the Housing Authority of the County of Salt Lake (HACSL).

**SYNOPSIS:**

This resolution authorizes a development agreement between the City and HACSL to establish minimum standards for an apartment development at 3060 W 3650 S.

**BACKGROUND:**

West Valley City staff has submitted an application (GPZ-1-2016) on 7.6 acres to change the zoning from R-2-8 (Residential Duplex, minimum lot size 8,000 square feet) and RM (Residential, Multi-family) to CC (City Center) and to change the General Plan from Institutional or High Density Residential to Very High Density Residential. The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.

The proposed development agreement addresses the following topics:

1. the extension of 3030 West from Lehman Avenue to Lancer Way;
2. unit cap, unit mix and unit sizes;
3. architectural features/design including exterior materials and interior finishes;
4. project amenities including the amount of open space and
5. project phasing, management and maintenance.

The City Center Zone allows exceptions to the requirements of the Zone through a development agreement. This was done for the Embassy Suites, The Residences at Fairbourne Station and Granger Medical. For this project, two exceptions are requested as outlined in Exhibit C of the development agreement. These proposed exceptions are described below:

1. The ordinance requires fence materials to be masonry or wrought iron style metal. The first exception request is to allow vinyl fencing along Lancer Way (3650 South).
2. The ordinance requires a minimum building height of 5 stories or 60' for all buildings except the three townhome buildings along the south portion of the property. The second exception request is to allow a 2 story minimum height for the two buildings along the west side of the property.

**RECOMMENDATION:**

The Planning Commission recommends approval to the City Council.

**SUBMITTED BY:**

Steve Pastorik, Assistant CED Director

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO  
A DEVELOPMENT AGREEMENT WITH THE HOUSING  
AUTHORITY OF THE COUNTY OF SALT LAKE FOR  
APPROXIMATELY 5.63 ACRES OF PROPERTY LOCATED AT  
APPROXIMATELY 3060 WEST 3650 SOUTH.**

**WHEREAS**, the Housing Authority of the County of Salt Lake (herein “Developer”) owns real property within the limits of West Valley City, Utah, on which Developer proposes to redevelop existing multifamily housing and develop new multifamily housing (herein the “Project”); and

**WHEREAS**, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding development agreement (herein “Agreement”); and

**WHEREAS**, Developer is willing to design and develop the Project in a manner that is in harmony with the City’s Master Plan and long-range development objectives, and which addresses the more specific planning issues set forth in this Agreement; and

**WHEREAS**, West Valley City, acting pursuant to its authority under §10-9a-101 *et seq.*, Utah Code Annotated 1953, as amended, and City ordinances and land-use policies, has made certain determinations with respect to the proposed Project, and in the exercise of its legislative discretion, has elected to approve this Agreement; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of West Valley City, Utah, that the Agreement between West Valley City and Developer is hereby approved in substantially the form attached, and that the Mayor and City Manager are hereby authorized to execute said Agreement for and on behalf of the City, upon approval of the final form of the Agreement by the City Attorney’s Office.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_,  
2016.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

## DEVELOPMENT AGREEMENT

**THIS DEVELOPMENT AGREEMENT** (herein the “Agreement”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the Housing Authority of the County of Salt Lake, a body corporate and politic of the State of Utah and its successors and assigns (herein “Developer”), for the land to be included in or affected by the project located at approximately 3060 West 3650 South in West Valley City, Utah, and West Valley City, a municipal corporation and political subdivision of the State of Utah (herein the “City”).

### RECITALS

**WHEREAS**, Developer owns approximately 5.63 acres of real property located at 3060 West 3650 South in West Valley City, Utah, as described in Exhibit “A” (the “Property”), on which Developer proposes to redevelop a housing development (the “Project”); and

**WHEREAS**, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding Development Agreement (the “Agreement”); and

**WHEREAS**, Developer is willing to restrict the property in a manner that is in harmony with the objectives of the City’s master plan and long-range development objectives, and which addresses the more specific development issues set forth in this Agreement, and is willing to abide by the terms of this Agreement; and

**WHEREAS**, the City, acting pursuant to its authority under the Utah Municipal Land Use, Development, and Management Act, U.C.A. §10-9a-101, *et seq.*, and its ordinances, resolutions, and regulations, and in furtherance of its land-use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement;

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Affected Property.**
  - a. The legal description of the Property contained within the Project boundaries is attached as Exhibit “A.” Except as set forth in subsection 1(b) below, no additional property may be added to or removed from this description for the purposes of this Agreement except by written amendment to this Agreement executed and approved by Developer and the City.



- b. In the event that Developer obtains the property described in Exhibit “B”, that property shall be additional property subject to the provisions of this Agreement. Property dedicated by plat by Developer to and accepted by the City for use as a public street or park shall no longer be subject to the provisions of this Agreement.

2. **Reserved Legislative Powers.** Nothing in this Agreement shall limit the future exercise of police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space, and related land-use plans, policies, ordinances and regulations after the date of this Agreement, provided that the adoption and exercise of such power shall not restrict Developer’s vested rights to develop the Project as provided herein. This Agreement is not intended to and does not bind the West Valley City Council in the independent exercise of its legislative discretion with respect to such zoning regulations.

3. **Compliance with City Design and Construction Standards.** Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for development of the Project, including the payment of fees (unless waived by the City in the City’s sole discretion), and compliance with the City’s design and construction standards.

4. **Specific Design Conditions.** The Project shall be developed and constructed as set forth in the specific design conditions set forth in Exhibits “C” and “D”. The Project shall also comply with all requirements set forth in the minutes of the Planning Commission and City Council hearings on this matter.

5. **Property Management.** The Project shall be managed and maintained in accordance with the standards set forth in Exhibit “E”. In order to further the City and the County’s shared objective of facilitating the highest quality affordable housing, the Project shall be a residential project with a portion of the project subject to federal low income housing tax credit restriction.

6. **Agreement to Run With the Land.** This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, and shall encumber the same; and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property.

7. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual, or entity without assigning also the responsibilities arising hereunder and having the other party assume such responsibilities. This restriction on assignment is not intended to prohibit or impede the sale by Developer, including, without limitation, a transfer to a special purpose entity formed by the Developer to own and develop the Property and assume the obligations hereunder, which transfer and assignment may be done without the consent of the City.

8. **No Joint Venture, Partnership or Third Party Rights.** This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto nor any rights or benefits to third parties, except as expressly provided herein. This provision shall not operate to prohibit any notice required by law or to comply with the requirements of federal agencies.

9. **Integration, Modification, and Entire Agreement.** This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions, or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto. Exhibits A, B, C, D, and E are hereby incorporated into this Agreement.

10. **Documentation.** Upon request, the Developer shall provide the City with all records, documentation, or evidence necessary to demonstrate full and ongoing compliance with the terms of this Agreement.

11. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for whom intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

TO DEVELOPER:  
Lake

Housing Authority of the County of Salt  
Attn: Executive Director  
3595 South Main Street  
Salt Lake City, Utah 84115-4434

With a copy to:

Ballard Spahr LLP  
Attn: Ryan R. Warburton  
201 South Main, Suite 800  
Salt Lake City, Utah 84111

TO CITY:

West Valley City  
Wayne Pyle, City Manager  
3600 Constitution Blvd.  
West Valley City, Utah 84119

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

12. **Choice of Law and Venue.** Any dispute regarding this Agreement shall be heard and settled under the laws of the State of Utah. Any Utah litigation regarding this Agreement shall be filed in the Third District Court in Salt Lake City, Utah. Any federal litigation regarding this Agreement shall be filed in the United States District Court for the District of Utah in Salt Lake City, Utah.

13. **Court Costs.** In the event of any litigation between the parties arising out of or related to this Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney's fees.

14. **Severability.** In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding upon the parties. One or more waivers of any term, condition, or other provision of this Agreement by either party shall not be construed as a waiver of a subsequent breach of the same or any other provision.

15. **RAD Rider.** Attached hereto and incorporated herein is Exhibit F (the "RAD Rider").

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

*(signatures follow)*

**HOUSING AUTHORITY OF THE COUNTY  
OF SALT LAKE**

By: \_\_\_\_\_  
Janice Kimball, Executive Director

State of \_\_\_\_\_)  
:ss  
County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, personally  
appeared before me Janice Kimball, whose identity is personally known to me or proved to me  
on the basis of satisfactory evidence to be the person whose name is subscribed to this  
instrument, and affirmed that she is the Executive Director of the Housing Authority of the  
County of Salt Lake, and that said document was signed by her in behalf of the Housing  
Authority of the County of Salt Lake by authority of its bylaws or a Resolution of its Board of  
Directors.

\_\_\_\_\_  
Notary Public

**WEST VALLEY CITY**

By: \_\_\_\_\_  
Mayor Ron Bigelow or Designee

ATTEST:

\_\_\_\_\_  
City Recorder

Approved as to Form and Legality:

WEST VALLEY CITY ATTORNEY

By: \_\_\_\_\_  
Date: \_\_\_\_\_

*(Development Agreement Signature Page)*



EXHIBIT A  
LEGAL DESCRIPTION

PARCEL #: 15-33-105-020

BEG ON N LINE OF 3650 SOUTH STREET, S 0°00'20" W 1350.32 FT & N 89°56'20" E 396 FT & N 0°00'20" E 25 FT FR NW COR SEC 33, T 1S, R 1W, SL MER, N 89°56'20" E 589.5 FT; N 0°00'20" E 240.97 FT; N 89°56'20" E 54.5 FT; N 0°00'20" E 130.26 FT; S 89°56'20" W 739.9 FT; S 0°00'20" W 201.54 FT; N 89°56'20" E 95.9 FT; S 0°00'20" W 169.02 FT TO BEG.  
5.63 AC.

EXHIBIT B  
FUTURE ACQUISITIONS

PARCEL #: 15-33-105-012

LOT 33 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-011

LOT 32 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-010

LOT 31 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-009

LOT 30 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-008

LOT 29 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-007

LOT 28 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-006

LOT 27 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-005

LOT 26 LEHMAN SUBDIVISION

PARCEL #: 15-33-105-004

LOT 25 LEHMAN SUBDIVISION

EXHIBIT C  
DESIGN CONDITIONS

1. The Developer shall extend 3030 West between Lehman Avenue and Lancer Way (3650 South). This new road shall consist of 36' of concrete pavement, curb and gutter, a 5' parkstrip on both sides of the road and a 5' sidewalk on both sides of the road. These improvements shall be constructed with a 61' right-of-way which shall be dedicated to the City. The exact location of the road right-of-way shall be determined during the conditional use review process.
2. The Project shall consist of no more than 267 units.
3. The unit mix for the Project shall be 126 one bedroom units, 91 two bedroom units and 50 three bedroom units.
4. Unit sizes shall be at least 579 square feet for one bedroom units, 850 square feet for two bedroom units, and 1,081 square feet for three bedroom units as shown on the Unit Plans in Exhibit D.
5. A total of 461 parking stalls shall be provided. The mix of parking shall be as follows: 330 stalls in the parking structure, 46 stalls in garages, 11 stalls along Lehman Avenue, 8 stalls covered by carports, and 66 uncovered surface stalls.
6. Exterior materials shall be brick, fiber cement siding and stucco.
7. All units shall include a washer and dryer.
8. All units shall include 9' ceilings, 2 tone paint, luxury vinyl tile (LVT) flooring, energy star appliances, 2 inch horizontal window coverings and TV/phone/data access.
9. All units shall have a private patio, deck, porch or balcony with a minimum area of 50 square feet.
10. Project amenities shall include:
  - a. a barbeque area and pavilion
  - b. a gazebo
  - c. a playground
  - d. a swimming pool with minimum dimensions of 20' x 50' and an adjoining wading pool with minimum dimensions of 20' x 20'
  - e. a hot tub with minimum dimensions of 12' x 12'
  - f. a half-court sports court



- g. a dog park with minimum dimensions of 25' x25'
  - h. an exercise room with at least 900 square feet
  - i. a clubhouse/common party room
  - j. a resident business center/computer lab
11. Full time on-site management and maintenance staff shall be provided for the Project.
12. For buildings with pitched roofs, air conditioning units shall be located on the ground level and screened from the public street with landscaping. If air conditioning units for flat roofed buildings are located on the roof, the air conditioning units shall be screened from view from adjoining streets through parapet walls.
13. A minimum of 35% open space shall be provided.
14. As fiber is provided directly to this site, the Developer shall connect to the UTOPIA fiber network and offer that service to its residents.
15. No fencing shall be installed in the space between the public sidewalks and buildings along Lehman Avenue and 3030 West. Any fencing installed between the public sidewalk and buildings along Lancer Way (3650 South) shall be limited to 3' tall fencing.
16. There shall be walking paths through the Project connecting to buildings, amenities and public sidewalks as shown on the Concept Site Plan in Exhibit D.
17. Upon completion of all of the on-site improvements, the Developer shall provide a letter to the City from an independent engineering firm which certifies that all of the on-site improvements are completed as shown on the plans approved by the City. For the purposes of this agreement, on-site improvements shall include landscaping, irrigation, private streets, sidewalks, parking, lighting, fencing, outdoor recreational amenities and other similar improvements.
18. If the name "Fairbourne Station" is used in the name of the Project or in any of the marketing material for the Project, the Developer shall use the City's logo and brand standard usage guide.
19. The Developer shall be responsible for all parkstrip maintenance.
20. Landscaping shall be installed substantially as indicated on the Conceptual Landscape Plan in Exhibit D.
21. The Project shall be developed substantially as indicated on the Concept Site Plan in Exhibit D.

22. Phasing of the project shall occur as indicated on the Phasing Plan in Exhibit D.
23. Off-site improvements along Lehman Avenue shall be installed in accordance with the standards outlined in Section 7-6-1606 of the West Valley City Zoning Ordinance.
24. The buildings shall be constructed substantially as indicated on the Renderings of Buildings included in Exhibit D.
25. As allowed in Section 7-6-1604 of the City's Zoning Ordinance, the following exceptions to the City Center (CC) Zone are hereby granted:
  - a. The ordinance requires fence materials to be masonry or wrought iron style metal. The Project may include vinyl fencing along Lancer Way (3650 South).
  - b. The ordinance requires a minimum building height of 5 stories or 60' for all buildings except the three townhome buildings along the south portion of the property (Buildings D, E and F on the Concept Site Plan in Exhibit D). A 2 story minimum height shall be allowed for the two buildings along the west side of the property (Buildings G and H on the Concept Site Plan in Exhibit D).
26. The following plans are included in Exhibit D:
  - a. Concept Site Plan
  - b. Phasing Plan
  - c. Conceptual Landscape Plan
  - d. Unit Plans
  - e. Renderings of Buildings

EXHIBIT D  
SITE PLAN AND ELEVATIONS

EXHIBIT E  
MANAGEMENT STANDARDS

- 1) Sidewalks, steps, entrance halls, walkways, and stairs shall not be obstructed or used for any purpose other than ingress or egress, including but not limited to storage.
- 2) Apartments and communal areas may not be used for any business.
- 3) Developer shall either retain a private property manager approved by the City or manage the property itself, with the Developer being ultimately responsible to ensure that the property is managed in accordance with this Agreement. The property manager shall conform to the following standards:
  - a. The property manager shall submit a property management plan to the City for the City's approval prior to accepting any engagement to manage the Property. The property management plan shall include provisions for the maintenance of the property, including but not limited to painting, routine upkeep, appliance maintenance, window washing, and similar activities.
  - b. The property manager shall obtain and maintain a West Valley City business license.
  - c. The property manager shall ensure that initial leases are for a minimum term of one year.
  - d. The property manager shall maintain the property in accordance with the management plan, City ordinances, and the provisions of this Agreement.
  - e. The property manager shall conduct a criminal background check on all prospective tenants. Tenants on the Utah Sex Offender Registry or currently subject to a registration requirement shall not be permitted. Tenants with a criminal conviction for an offense involving violence or distribution of controlled substances within the last three years shall not be permitted. With regard to other criminal convictions, the property manager shall evaluate applications in accordance with a policy adopted by the property manager to protect the Property and residents.
  - f. The property manager shall diligently inspect units, common areas, and landscaping and shall take action to remedy any violations of the West Valley

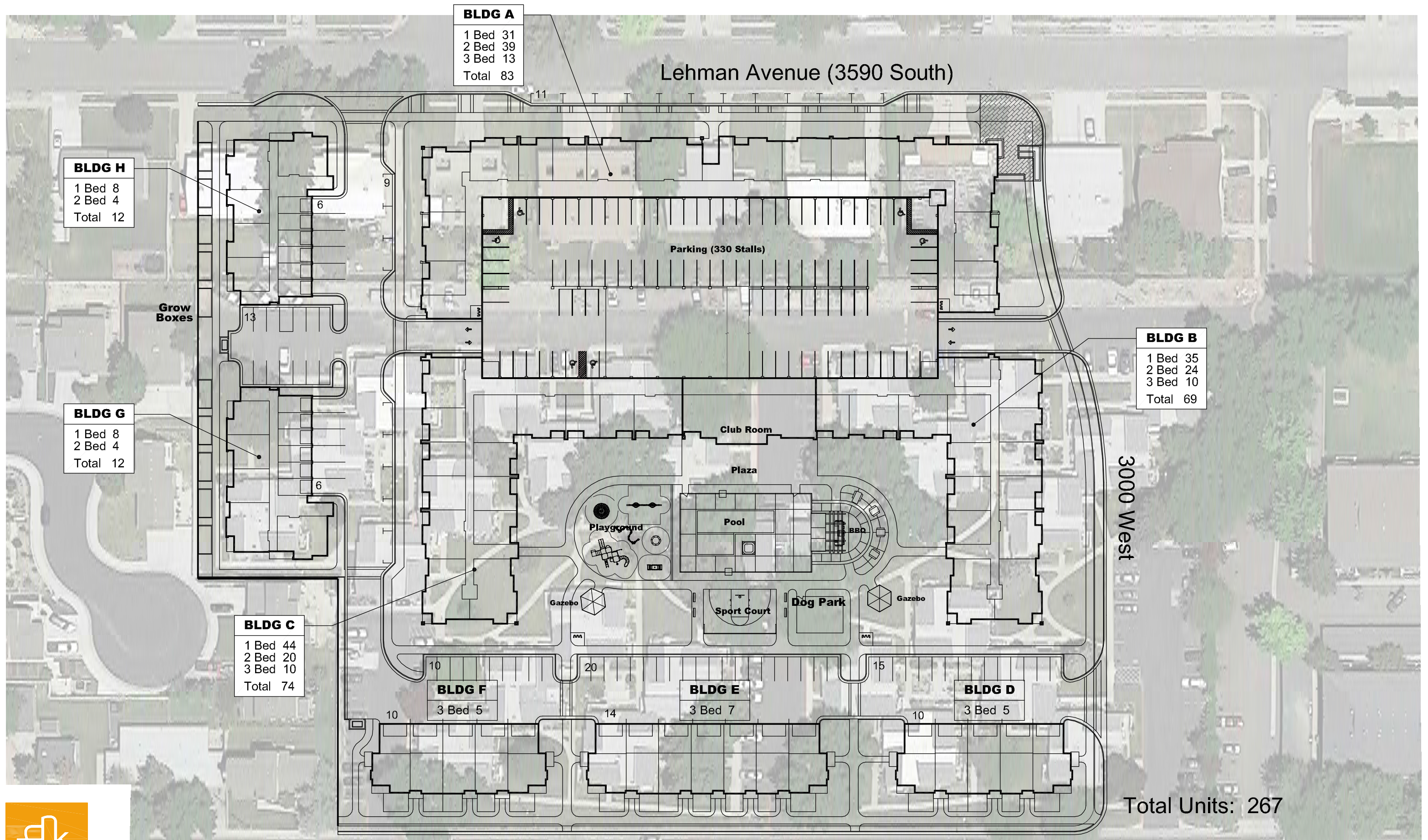
City Municipal Code or this Agreement within 48 hours, unless otherwise agreed by the City.

- g. The property manager shall take prompt action against tenants materially violating the lease rules or participating in or causing a violation of the West Valley City Municipal Code or this Agreement.
  - h. Upon request, the property manager shall provide the City with any documentation reasonably required by the City to demonstrate compliance with City ordinances or this Agreement.
- 4) Patios and balconies are to be kept neat and orderly at all times. Nothing shall be kept, stored, or left on balconies except for patio furniture that is designed and constructed for outdoor use and living and well maintained potted plants. Patio furniture may include tables and chairs and must be constructed primarily of metal, glass, or wood. Patio furniture primarily constructed of plastic, resin, or similar materials is not permitted. Sunshades and hanging fabrics are not permitted. Bathing suits, brooms, mops, rugs, clothing, towels, or similar materials may not be hung on balconies.
  - 5) The use or storage of charcoal burners, liquid petroleum, gas fueled, or other open flame cooking devices is prohibited inside apartments and on patios and balconies.
  - 6) All landscaping must be maintained in accordance with the West Valley City Municipal Code and the landscaping plans submitted to the City as part of this Agreement and any other land use approvals. All landscaping must be weed and litter free.
  - 7) All parking areas must be well maintained, free of potholes, and free of litter.
  - 8) Garages must be used for vehicle storage. The use of garages as accessory storage units is not permitted.
  - 9) Smoking is not permitted on any part of the Property.
  - 10) Residents committing illegal acts or causing nuisances shall be removed from the Property.
  - 11) Only those persons listed as residents in the lease agreement shall be permitted to live in the apartments.
  - 12) No items shall be hung in windows except for curtains and blinds. Blankets, sheets, towels, sunshades, aluminum foil, and similar items are not permitted in windows.

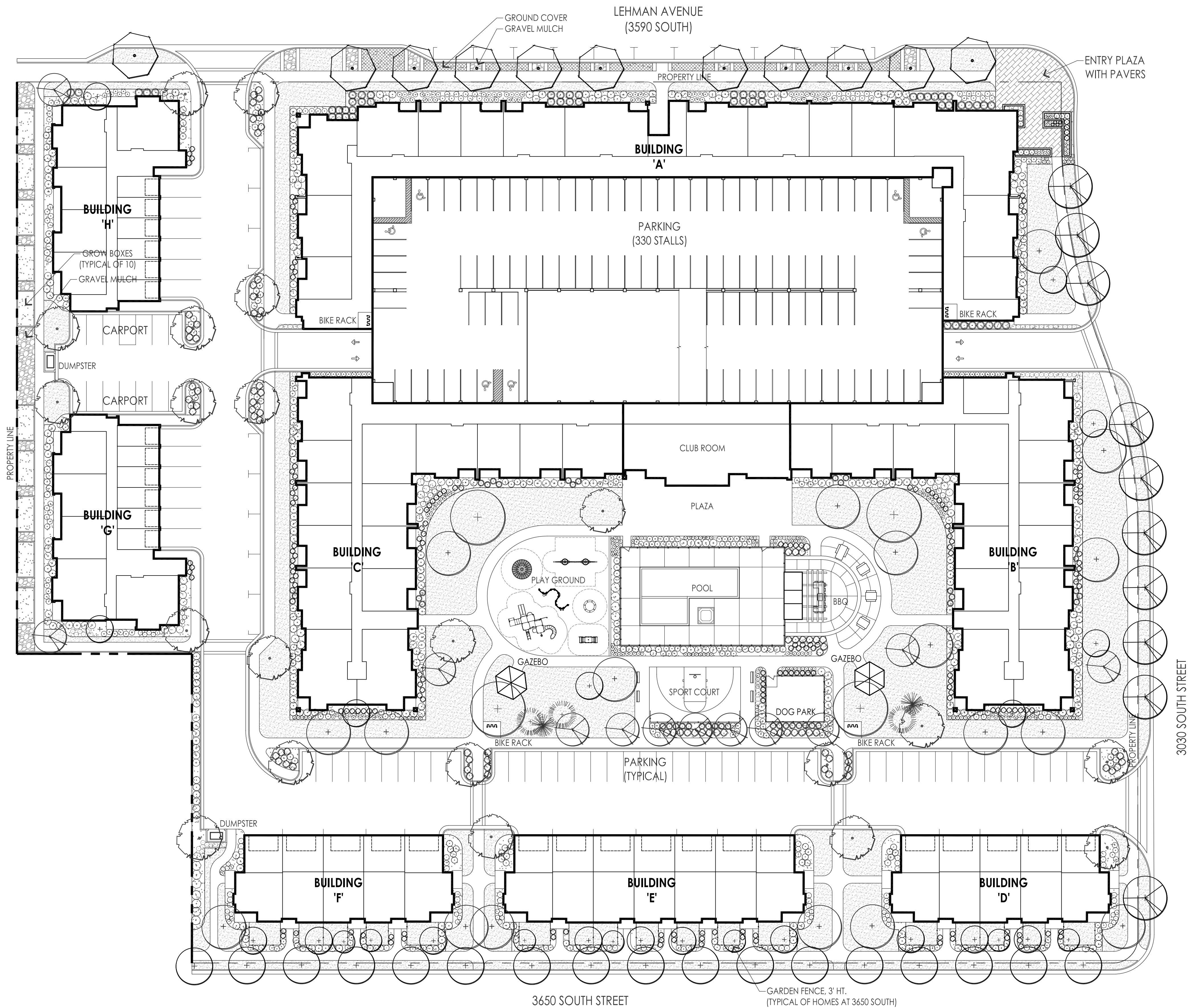
13) In accordance with the RAD Rider attached hereto as Exhibit F, the property manager shall manage the Property in accordance with federal, state, and local law. These management standards shall not be construed to require the violation of any such law.

EXHIBIT F  
RAD RIDER









#### PLANTING LEGEND

- EVERGREEN TREES**  
AUSTRIAN PINE  
BAKERI SPRUCE
- SHADE TREES**  
BURR OAK  
'GREEN VASE' ZELKOVA - AT 3030 SO. STREET FRONTAGE  
CRIMEAN LINDEN - AT 3650 SOUTH STREET FRONTAGE  
MIYABEI MAPLE - AT LEHMAN AVENUE FRONTAGE  
OCTOBER GLORY MAPLE  
SHADEMASTER HONEYLOCUST
- ORNAMENTAL / FLOWERING TREES**  
COLUMNAR SARGENT FLOWERING CHERRY  
FLAME MAPLE  
'GLEN'S FORM' CALLEY PEAR
- SHRUBS**  
ABBOTSWOOD POTENTILLA  
ALPINE CURRENT  
ANTHONY WATERER SPIREA  
BLUE MIST SPIREA  
BUFFALO JUNIPER  
DWARF KOREAN LILAC  
DWARF MUCO PINE  
DWARF SPREAD ENGL. YEW  
JACKMAN POTENTILLA  
KELSEY DWARF DOGWOOD  
KNOCK-OUT ROSE  
MISS KIM LILAC  
NEON FLASH SPIREA  
OTTO LUYKEN LAUREL  
PURPLE LEAF SANDCHERRY  
REDTWIG DOGWOOD  
RUBY CAROUSEL BARBERRY  
SUMMER WINE NINEBARK
- ORNAMENTAL GRASSES**  
BLUE OAT GRASS  
KARL FOERSTER FEATHER GRASS  
PINK MUHLYGRASS
- PERENNIALS**  
BLUE QUEEN SAGE, SALVIA  
EARLY SUNRISE TICKSEED  
ROSE SAXIFRAGA  
SNOW LADY SHASTA DAISY  
HAPPY RETURNS DAYLILY  
MIRACLE MAID DAYLILY  
STELLA DE ORO DAYLILY  
PURPLE DE ORO DAYLILY  
AMERICAN SWEETHEART HOSTA  
STAINED GLASS HOSTA
- LAWN / TURF**  
KENTUCKY BLUEGRASS BLEND
- GROUND COVER (AT LEHMAN AVENUE FRONTAGE)**  
PERIWINKLE, ST. JOHNSWORT, TRAILING EUONYMUS OR LEMON THYME
- SHRUB PLANTING BED**  
with 3" min. layer gravel mulch

#### OPEN SPACE TABULATION

TOTAL AREA WITHIN PROPERTY BOUNDARY	274,604 sf	100%
BUILDING FOOTPRINT (buildings A-H and club room)	91,721 sf	
PARKING STRUCTURE	39,153 sf	
ON GRADE PARKING	45,323 sf	
TOTAL HARD SURFACE	176,197 sf	64%
TOTAL OPEN SPACE	98,407 sf	36%

## HACSL WEST VALLEY HOUSING LEHMAN AVENUE WEST VALLEY CITY, UTAH

PROJECT NO. 15062

DATE: 27 JUNE 2016

REVISIONS:

SHEET TITLE:  
CONCEPTUAL  
LANDSCAPE PLAN

SHEET NUMBER:

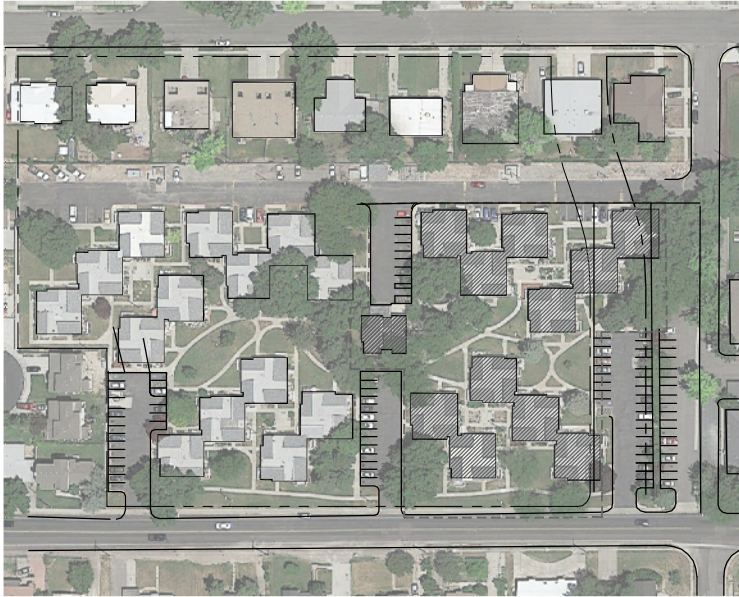
L101

LANDSCAPE



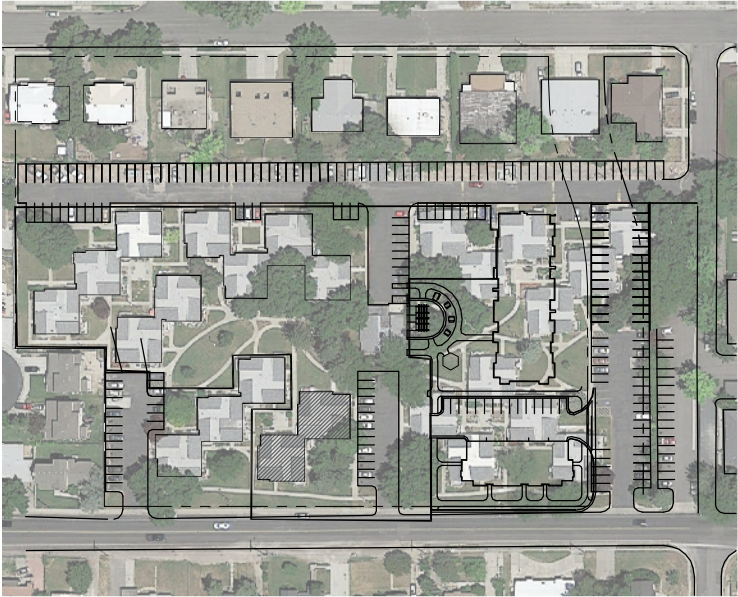
# Phase One

## Phase 1 Demolition



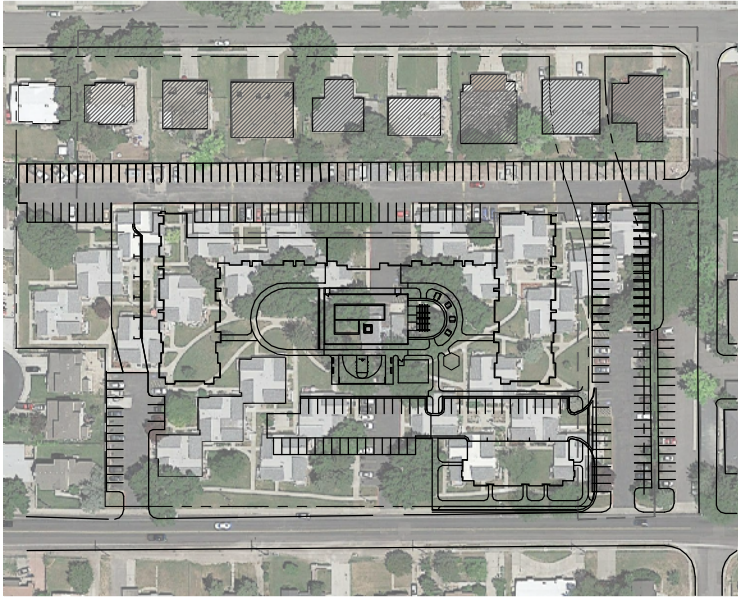
# Phase Two

## Phase 2 Demolition



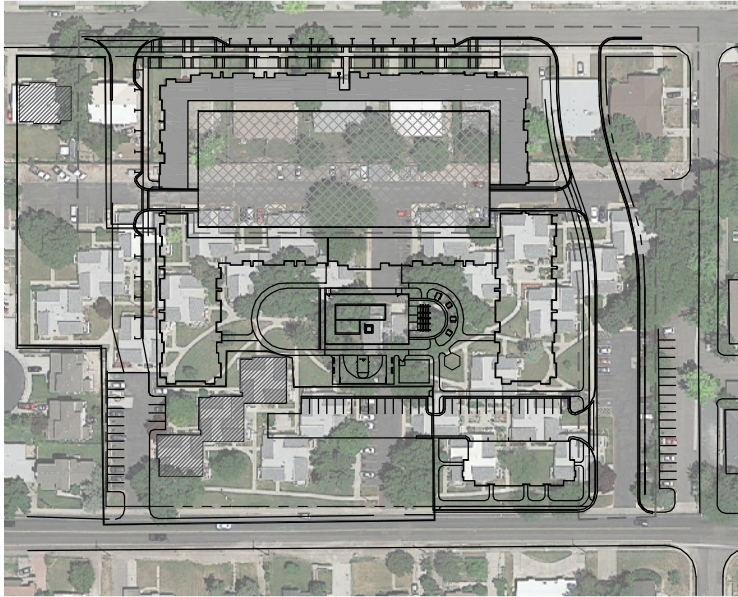
# Phase Three

## Phase 3 Demolition

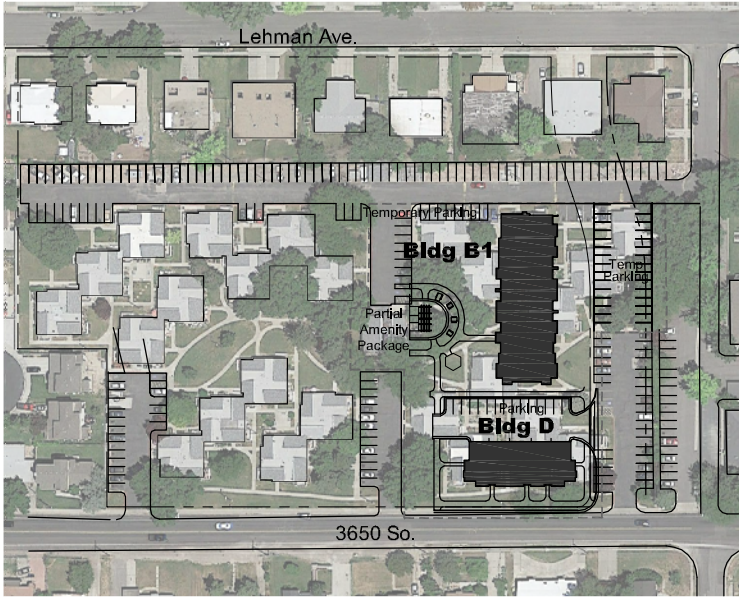


# Phase Four

## Phase 4 Demolition



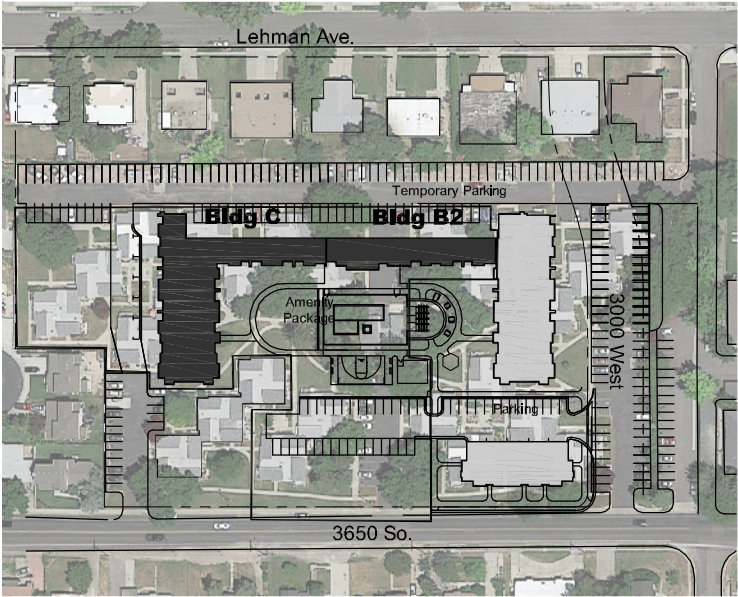
## Phase 1 Construction



	1 Bed	2 Bed	3 Bed	
Bldg B1 (East)	30	10	10	50 Units
Bldg D			5	5 Units
Existing Units	56			56 Units
Total Units	86	10	15	111 Units
Total Parking Spaces				229 Sp

(2.06 Sp/Unit)

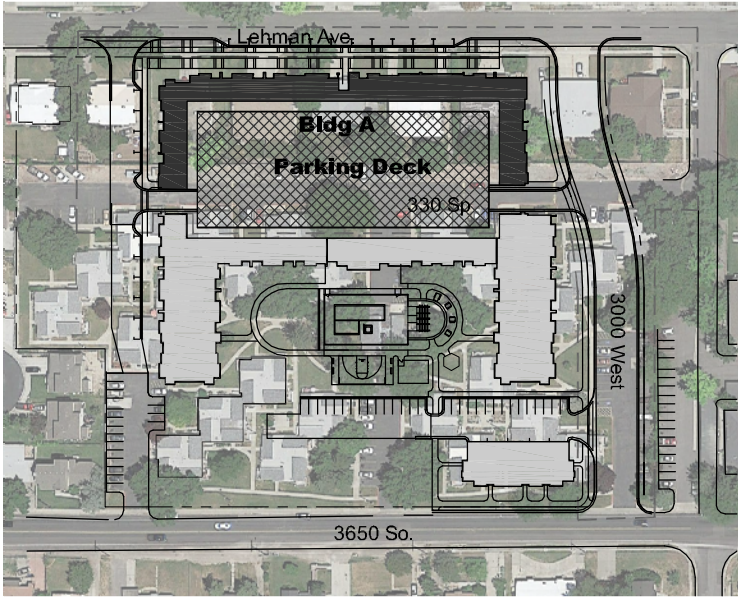
## Phase 2 Construction



	1 Bed	2 Bed	3 Bed	
Bldg B2	5	14		19 Units
Bldg C	44	20	10	74 Units
Existing Units	12			12 Units
Total Units (Phase 1)	30	10	15	55 Units
Total Units	91	44	25	160 Units
Total Parking Spaces				265 Sp

(1.65 Sp/Unit)

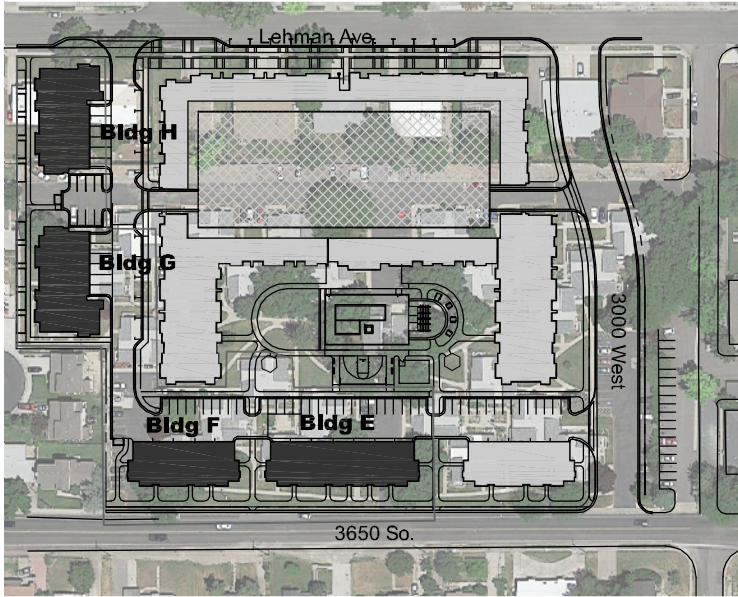
## Phase 3 Construction



	1 Bed	2 Bed	3 Bed	
Bldgs A	31	39	13	83 Units
Existing Units	12			12 Units
Total Units (Phases 1 & 2)	79	39	25	143 Units
Total Units	122	78	38	238 Units
Total Parking Spaces				420 Sp

(1.76 Sp/Unit)

## Phase 4 Construction

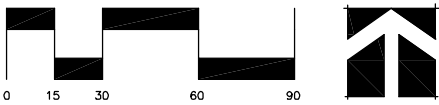


	1 Bed	2 Bed	3 Bed	
Bldg E & F			12	12 Units
Bldg G & H	16	8		24 Units
Total Units (Phases 1-3)	110	83	38	231 Units
Total Units	126	91	50	267 Units
Total Parking Spaces				460 Sp

(1.72 Sp/Unit)



June 28, 2016



# Phasing Plan

Lehman Avenue, West Valley City





Architecture

- Architecture
- Landscape Architecture
- Land Planning
- Construction Management
- Interior Design

Valley Fair Housing Development  
3650 South 3060 West  
West Valley City, UT

Housing Authority of the County of Salt Lake (HACSL)

June 30, 2016

Phasing with Amenity Package

Phase 1 – Construct the east wing of Building 'B' and Building D for 55 new units and 56 existing units for a total of 111 units. Amenities include a common area with BBQ's, Gazebo and Playground. 229 parking stalls are provided for a parking ratio of 2 stalls per unit.

Phase 2 – Complete the west wing of Building 'B' and all of Building 'C' for 93 new units and 67 existing units for a total of 160 units. The full amenity plaza is completed in this phase to include a 20' x 50' sport pool with an adjoining 20' x 20' wading pool with a zero entry for accessibility. A 12' x 12' hot tub surrounded by an 18" high transfer wall is also included. A BBQ pavilion, sports court (half-court) and a 25' x 25' dog park are constructed at this time. Inside there will be a 900 square foot exercise room and a large common party room. 265 parking stalls are provided for a parking ratio of 1.65 stalls per unit.

Phase 3 – All of building A, the parking structure (330 stalls), Lehman Avenue improvements and the 3000 West road improvements are constructed. Building A adds 83 new units bringing the total unit count to 238 units. This phase will add a resident business office/computer lab and an expanded leasing office. 420 parking stalls are provided for a parking ratio of 1.76 stalls per unit.

Phase 4 – The project is completed with the construction of buildings E, F, G and H. This will add 36 units bringing the total unit count to 267 units. Total parking is 460 stalls for a final ratio of 1.72 parking stalls per unit.

Unit Amenities:

- 9 foot ceilings
- 2 tone paint
- LVT upgraded floor covering
- energy star appliances
- washer and dryer included in each unit
- Triple Play data/telephone
- 2 inch horizontal window coverings
- private patios

5151 South 900 East  
Suite 200  
Salt Lake City, Utah 84117

P • 801.269.0055

[www.thinkaec.com](http://www.thinkaec.com)





NORTH-EAST PERSPECTIVE





NORTH-WEST PERSPECTIVE

## HACSL VALLEY FAIR VILLAGE

PROJECT ADDRESS





SOUTH-WEST PERSPECTIVE

## HACSL VALLEY FAIR VILLAGE

PROJECT ADDRESS





SOUTH-EAST PERSPECTIVE

## HACSL VALLEY FAIR VILLAGE

PROJECT ADDRESS





EAST PARKING STRUCTURE BRIDGE





WEST PARKING STRUCTURE BRIDGE





NORTH-WEST SENIOR HOUSING

# HACSL VALLEY FAIR VILLAGE

PROJECT ADDRESS





SOUTH-WEST TOWNHOMES



SOUTH-EAST AERIAL



# HACSL VALLEY FAIR VILLAGE

PROJECT ADDRESS



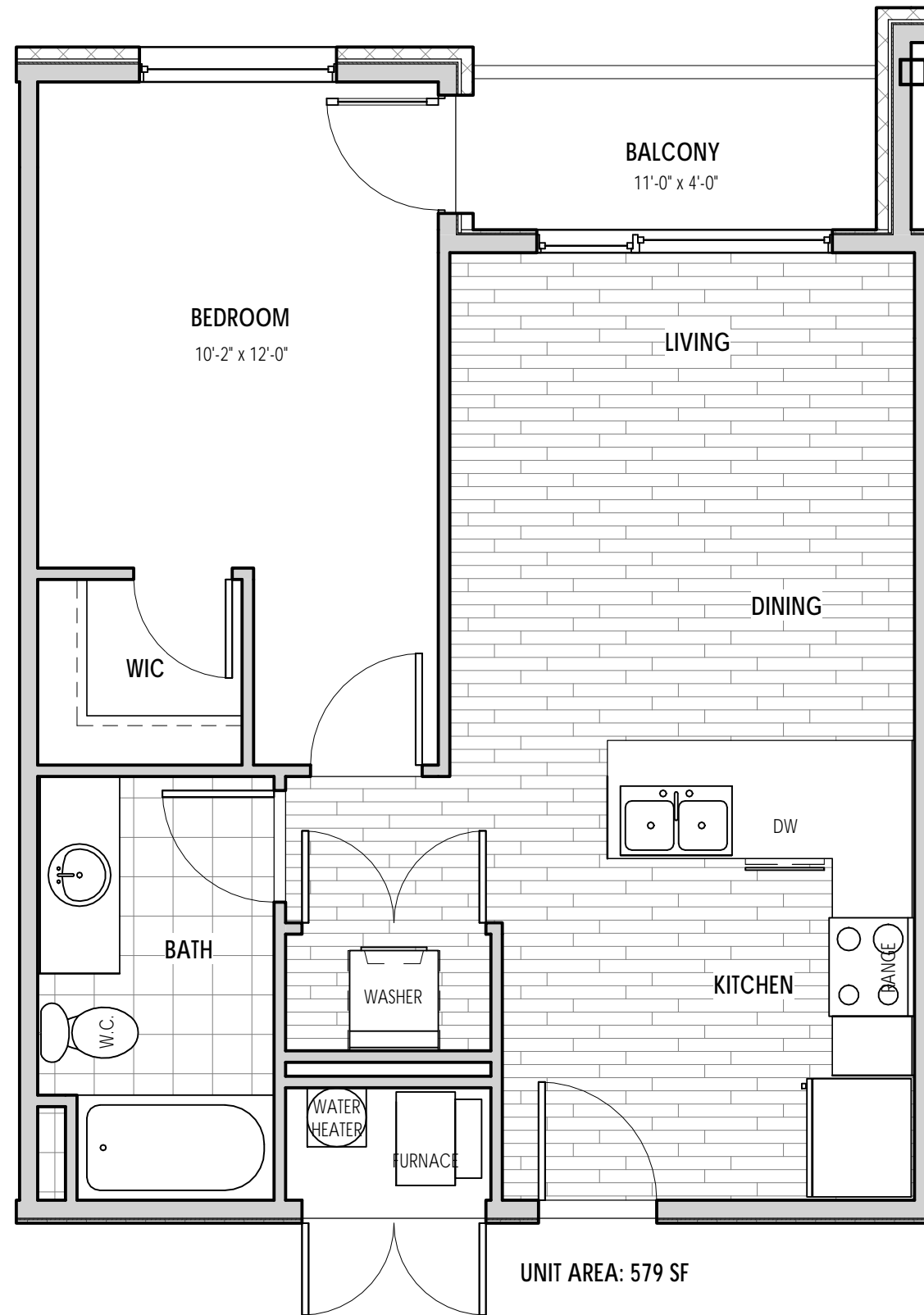
SOUTH-WEST AERIAL



# HACSL VALLEY FAIR VILLAGE

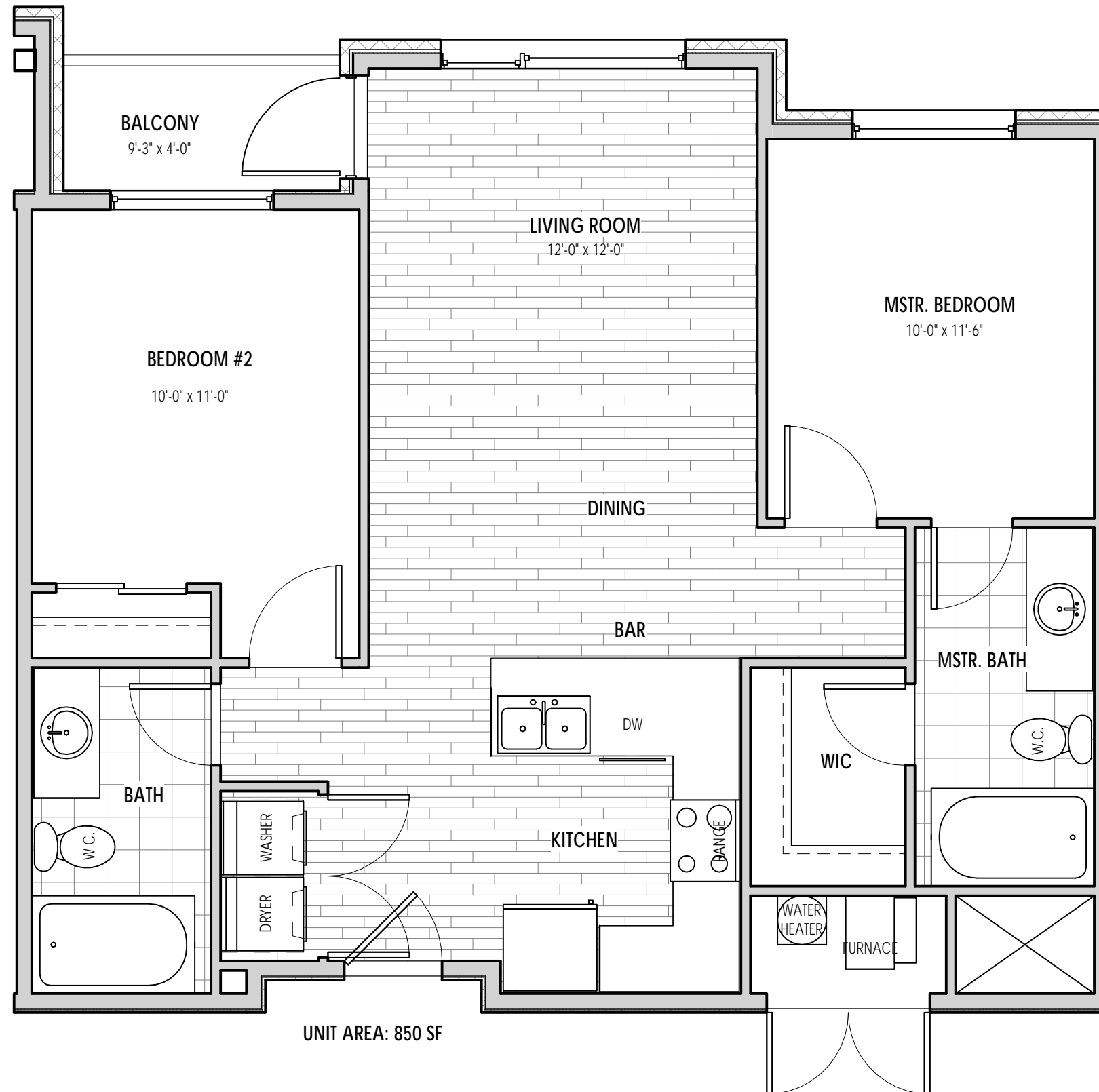
PROJECT ADDRESS



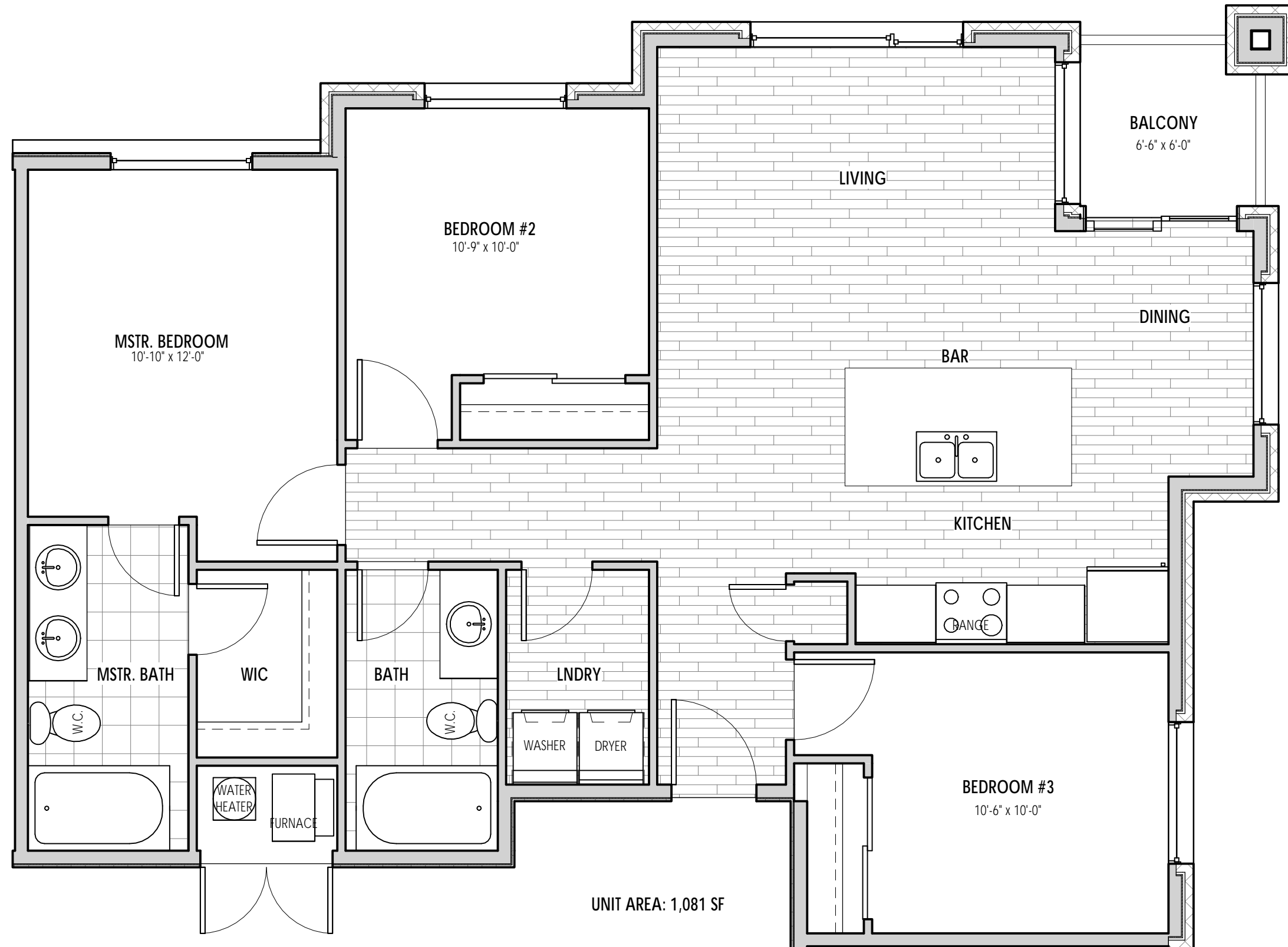


ONE BEDROOM - UNIT PLAN  
1/4" = 1'-0"

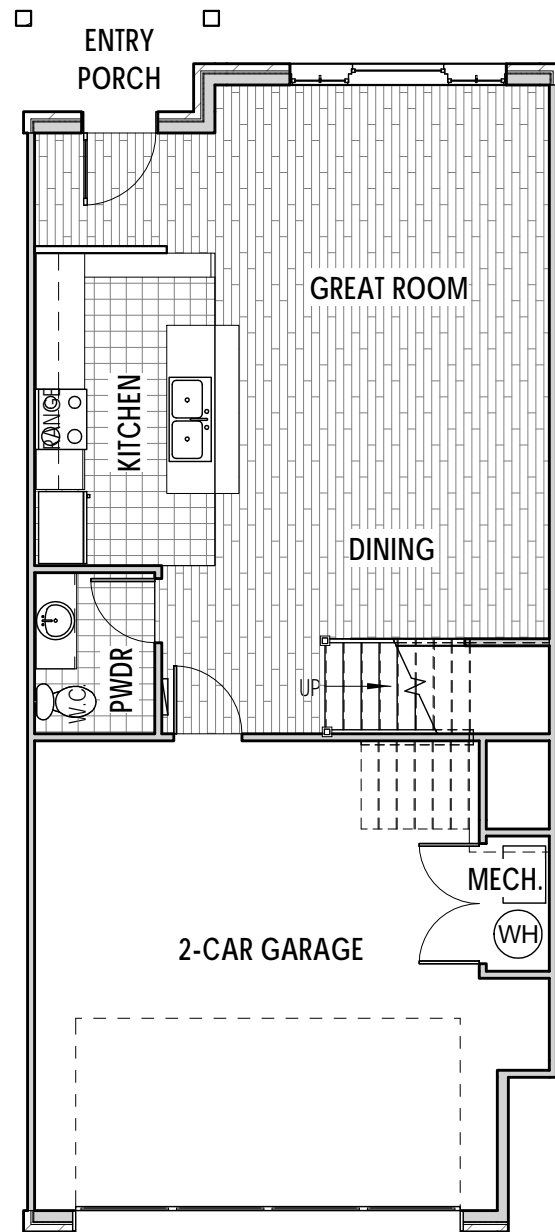




TWO BEDROOM - UNIT PLAN  
1/4" = 1'-0"

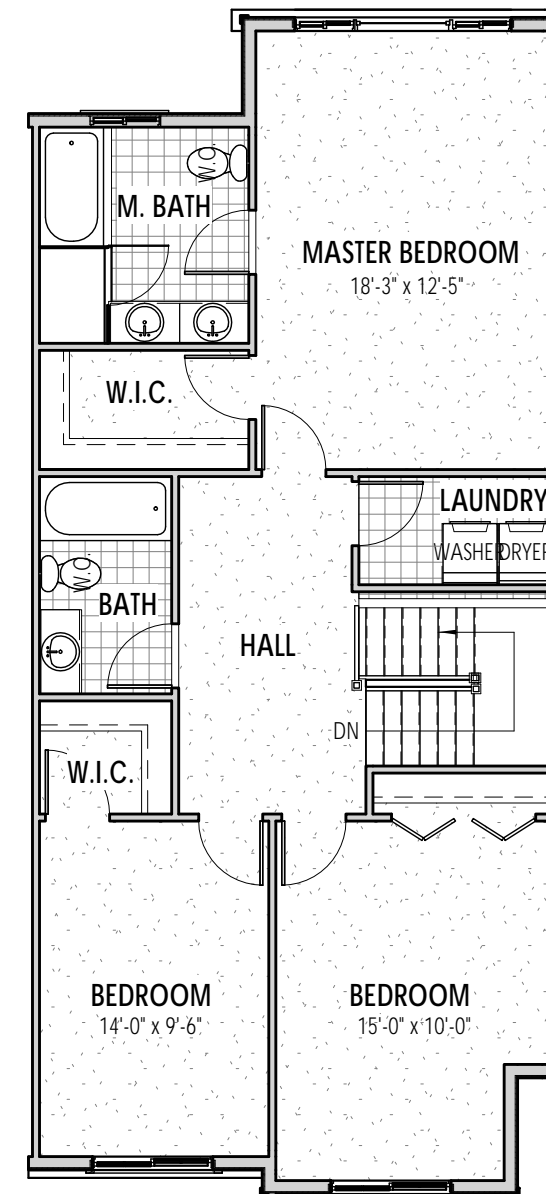


THREE BEDROOM - UNIT PLAN  
1/4" = 1'-0"



LEVEL 1 AREA: 563 SF

TOWNHOUSE - LEVEL 1  
1/8" = 1'-0"



LEVEL 2 AREA: 969 SF  
TOTAL AREA: 1,532 SF

TOWNHOUSE - LEVEL 2  
1/8" = 1'-0"



## **RAD RIDER TO DEVELOPMENT AGREEMENT**

This RAD Rider to Development Agreement (the “**Rider**”) modifies the Development Agreement (the “**Development Agreement**”) entered into between the Housing Authority of the County of Salt Lake, a body corporate and politic of the State of Utah (“**HACSL**”) and West Valley City, Utah, a municipal corporation and political subdivision of the State of Utah (the “**City**”), in connection with the development of an affordable housing apartment project at 3060 West 3650 South in West Valley City, Utah, of which 100 of the units are intended to be RAD (defined below) units (the “**Project**”) on the property described in Exhibit A attached hereto and any property included in the Project in the future under the terms of the Development Agreement (the “**Property**”).

1. **Inconsistent Provisions**. If the provisions of this Rider are inconsistent with, contradictory of, or in opposition to, the provisions of the Development Agreement, the provisions of this Rider shall be controlling, with the provisions of the RAD Use Agreement being paramount and controlling in all instances, superseding any other conflicting requirements.
2. **Defined Terms**. Capitalized terms not defined herein are as defined in the Development Agreement.
3. **HUD Regulatory Documents**. By the acceptance, execution and/or recording of this Rider, the City acknowledges that upon the recording of the RAD Use Agreement (Form HUD-52625) the RAD units in the Project will be subject to: (a) requirements applicable to the U. S. Department of Housing and Urban Development’s (“**HUD**”) Rental Assistance Demonstration (“**RAD**”) Program authorized by the Consolidated and Further Continuing Appropriations Act of 2012 and HUD Notice PIH-2012-32(H) REV-2 (June 15, 2015), as may be further amended; and (b) requirements contained in the RAD Use Agreement (Form HUD-52625), the RAD Conversion Commitment (Form HUD-52624), the Housing Assistance Payments Contract (Forms HUD-52530A Part I and Part II) to be executed in connection with the Project. Such requirements in Sections (a) and (b) herein shall be referred to as the “**RAD Requirements**”.
4. **Conflicts**. If there is a conflict between a provision of the Development Agreement and any RAD Requirement, then the RAD Requirement shall govern, except as such RAD Requirement may have been expressly waived in writing by HUD, or HACSL, as appropriate.
5. **Subordination to RAD Use Agreement**. The Development Agreement and any restrictions imposed pursuant to the Development Agreement shall be subordinate and subject to the RAD Use Agreement if and at such time as the RAD Use Agreement is recorded.
6. **Notices**. Any notices of HACSL default provided pursuant to the Development Agreement shall also be provided to HUD at the following address:

United States Department of Housing and Urban Development  
451 Seventh Street, S.W.  
Washington, DC 20410

Attn: Office of the General Counsel

7. **Counterparts**. This Rider may be executed in any number of counterparts, each of which shall be considered an original for all purposes; provided, however, that all such counterparts shall together constitute one and the same instrument.

**[Signatures on Following Page]**

IN WITNESS WHEREOF, HACSL and the City have duly executed and delivered this Rider contemporaneous with the Development Agreement.

**HACSL:**

**HOUSING AUTHORITY OF THE COUNTY  
OF SALT LAKE**

By: \_\_\_\_\_  
Janice Kimball, Executive Director

**CITY:**

**WEST VALLEY CITY**

By: \_\_\_\_\_  
Mayor Ron Bigelow or Designee

ATTEST:

\_\_\_\_\_  
City Recorder

Approved as to Form and Legality:

WEST VALLEY CITY ATTORNEY

By: \_\_\_\_\_

Date: \_\_\_\_\_



EXHIBIT A  
LEGAL DESCRIPTION

PARCEL #: 15-33-105-020

BEG ON N LINE OF 3650 SOUTH STREET, S 0°00'20" W 1350.32 FT & N 89°56'20" E 396 FT & N 0°00'20" E 25 FT FR NW COR SEC 33, T 1S, R 1W, SL MER, N 89°56'20" E 589.5 FT; N 0°00'20" E 240.97 FT; N 89°56'20" E 54.5 FT; N 0°00'20" E 130.26 FT; S 89°56'20" W 739.9 FT; S 0°00'20" W 201.54 FT; N 89°56'20" E 95.9 FT; S 0°00'20" W 169.02 FT TO BEG.  
5.63 AC.

ITEM#: \_\_\_\_\_  
FISCAL IMPACT: \_\_\_\_\_  
FUNDING SOURCE: \_\_\_\_\_  
ACCOUNT #: \_\_\_\_\_  
BUDGET OPENING REQ'D

**ISSUE:**

S-15-2016 – CR England Subdivision – Lot 1 Amended and Extended

**SYNOPSIS:**

Applicant: West Valley City Engineering Division  
Proposal: Final Plat Approval  
Location: 2400 South 4800 West  
Zoning: M

**BACKGROUND:**

The West Valley City Engineering Division is requesting consideration to amend lot 1 of the CR England Subdivision. The proposed plat amendment is brought about by the dedication of 2400 South and 4800 West. The dedication of these roads will extend 2400 South from the West Valley Truck Center Subdivision eastward to 4800 West and then north out to the SR-201 frontage road.

The area of the proposed plat amendment is a regional hub for the commercial trucking and transportation industry. As such, this places a particular demand on the City's manufacturing zone along the SR-201 frontage road. One of the goals outlined in the City's transportation element of the General Plan, is to have adequate connections for regional transportation to ensure that large trucks can move within this district safely and efficiently.

The proposed street dedication is being initiated by the City Engineering Division to fulfil these needs. The designated segments of 2400 South and 4800 West have been on the City's Master Street Plan for quite some time. In order to construct the full width of these rights-of-way, the City has worked diligently to acquire properties from adjacent land owners to make these needed street connections. Additional property within lot 1 of the CR England Subdivision was acquired to construct the full 66-foot right-of-way, thus the amendment to this lot.

The Right-of-Way for both streets will be 66 feet and will consist of curb, gutter and concrete. For the present time, sidewalk will not be installed. However, sidewalk could be installed should future development warrant such.

**RECOMMENDATION:**

The Planning Commission approved this application.

**SUBMITTED BY:**

Steve Lehman  
Current Planning Manager



**WEST VALLEY CITY, UTAH**

**ORDINANCE NO. \_\_\_\_\_**

Draft Date: \_\_\_\_\_  
Date Adopted: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**AN ORDINANCE APPROVING THE AMENDMENT OF LOT 1 IN  
THE CR ENGLAND SUBDIVISION.**

**WHEREAS**, the City is in receipt of petition S-15-2016, proposing an amendment to lot 1 in the CR England Subdivision; and

**WHEREAS**, the purpose for the amendment is to provide for the dedication of 2400 South and 4800 West; and

**WHEREAS**, proper notice was given and a public hearing was held pursuant to Section 10-9a-207, Utah Code Annotated; and

**WHEREAS**, the City Council finds that after the public hearing, that there is good cause for the plat amendment, and that neither the public nor any person will be materially injured by the proposed plat amendment and that the approval is in the best interest of the health, safety and welfare of the citizens of West Valley City; and

**NOW THEREFORE, BE IT ORDAINED** by the City Council of West Valley City, State of Utah, as follows:

**Section 1.** The amendment to lot 1 of the CR England Subdivision located at approximately 2400 South and 4800 West in West Valley City and as shown in petition S-15-2016, is hereby approved.

**Section 2.** This Ordinance shall have no force or effect on any rights-of-way or easements of any lot owner, and the franchise rights of any public utilities shall not be impaired thereby, nor shall it have any force or effect on any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property or as are or may be shown on the official plats and records of Salt Lake County.

**Section 3.** The City Recorder is hereby directed to record this Ordinance with the Salt Lake County Recorder's Office.

**Section 4.** This Ordinance shall become effective immediately upon posting as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

**S-15-2016**

**CR England Subdivision Lot 1 Amended and Extended with Street Dedication  
2400 South 4800 West  
M Zone**

**BACKGROUND:**

The West Valley City Engineering Division is requesting consideration to amend lot 1 of the CR England Subdivision. The proposed plat amendment is brought about by the dedication of 2400 South and 4800 West. The dedication of these roads will extend 2400 South from the West Valley Truck Center Subdivision eastward to 4800 West and then north out to the SR-201 frontage road.

**ISSUES:**

The area of the proposed plat amendment is a regional hub for the commercial trucking and transportation industry. As such, this places a particular demand on the City's manufacturing zone along the SR-201 frontage road. One of the goals outlined in the City's transportation element of the General Plan, is to have adequate connections for regional transportation to ensure that large trucks can move within this district safely and efficiently.

The proposed street dedication is being initiated by the City Engineering Division to fulfil these needs. The designated segments of 2400 South and 4800 West have been on the City's Master Street Plan for quite some time. In order to construct the full width of these rights-of-way, the City has worked diligently to acquire properties from adjacent land owners to make these needed street connections. Additional property within lot 1 of the CR England Subdivision was acquired to construct the full 66-foot right-of-way, thus the amendment to this lot.

The Right-of-Way for both streets will be 66 feet and will consist of curb, gutter and concrete. For the present time, sidewalk will not be installed. However, sidewalk could be installed should future development warrant such.

**STAFF ALTERNATIVES:**

1. Approval of the amended subdivision plat, subject to a resolution of staff and agency recommendations.
2. Continuation, to address issues raised during the public hearing.



**Applicant:**

Steve Dell, West Valley City Engineering Division  
3600 South Constitution Blvd.

**Discussion:** Steve Dell said the City recently completed construction on this project. 2400 South was extended to 5600 West, which had been a cul-de-sac. This will complete this road to provide better access to 5600 West and north to SR-201.

**Motion:** Commissioner Woodruff moved to approve S-15-2016.

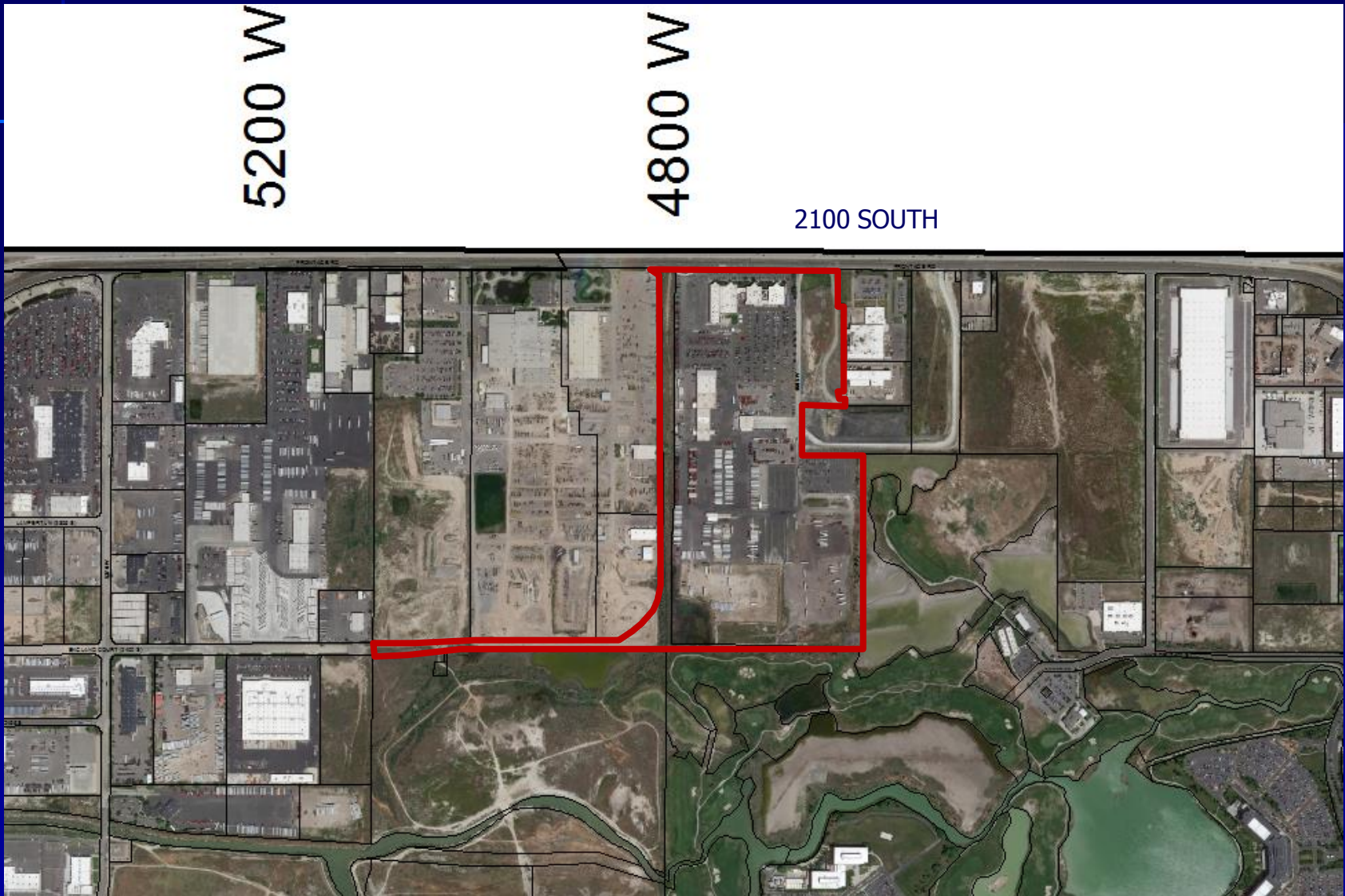
Commissioner Lovato seconded the motion.

**Roll call vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes

**Unanimous – S-15-2016 – Approved**

**S-15-2016** The **WEST VALLEY CITY ENGINEERING DIVISION** is requesting **final approval** for the CR England Subdivision, Lot 1 Amended and Extended with Street Dedication. The proposed subdivision is located at 4800 West 2400 South. The subdivision consists of 77 acres, one lot, two parcels, and road dedication. The property is zoned M (Manufacturing). (Staff - **Steve Lehman** at 801-963-3311)





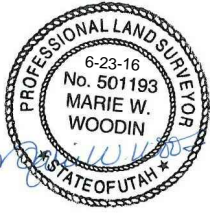
**S-15-2016** The **WEST VALLEY CITY ENGINEERING DIVISION** is requesting **final approval** for the CR England Subdivision, Lot 1 Amended and Extended with Street Dedication. The proposed subdivision is located at 4800 West 2400 South. The subdivision consists of 77 acres, one lot, two parcels, and road dedication. The property is zoned M (Manufacturing). (Staff - **Steve Lehman** at 801-963-3311)





SURVEYORS CERTIFICATE

I, MARIE W. WOODIN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LICENSED LAND SURVEYOR, LICENSED BY THE STATE OF UTAH, LICENSE NO. 501193, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO A LOT, PARCELS, AND STREETS TOGETHER WITH EASEMENTS HEREAFTER TO BE KNOWN AS "CR ENGLAND SUBDIVISION, LOT 1 AMENDED AND EXTENDED WITH STREET DEDICATION", AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.



DATE 6-15-16 MARIE W. WOODIN, P.L.S. LICENSE NO. 501193

LEGEND

- FOUND BRASS CAP MONUMENT
- CALCULATED SECTION CORNER
- SET STREET MONUMENT PER SALT LAKE COUNTY SURVEYOR'S STANDARDS
- BOUNDARY LINE
- EXISTING LOT LINE
- EXISTING EASEMENT LINE
- 10' PUBLIC UTILITY EASEMENT
- ADJOINING PROPERTIES

NOTES:

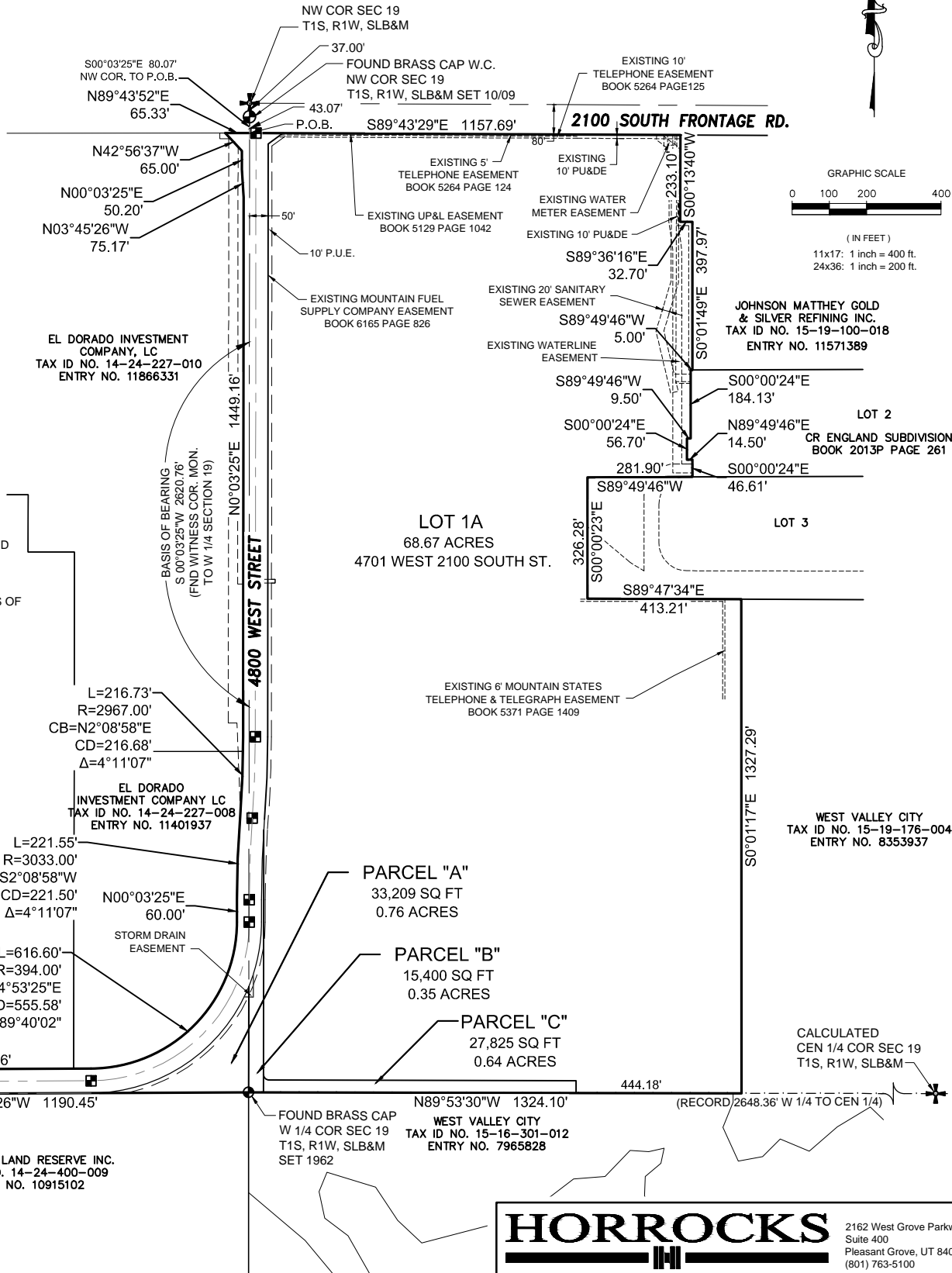
- EXISTING EASEMENTS ARE AS SHOWN ON CR ENGLAND SUBDIVISION ON FILE AT THE SALT LAKE COUNTY RECORDER'S OFFICE IN BOOK 2013P AT PAGE 261
- 5/8" x 24" REBAR AND CAP TO BE PLACED AT CORNERS OF PARCELS A, B, AND C.

VICINITY MAP N-T-S



CR ENGLAND SUBDIVISION, LOT 1 AMENDED AND EXTENDED WITH STREET DEDICATION

(AMENDING AND EXTENDING LOT 1 TO CREAT LOT 1A AND PARCEL A,B, & C ALONG WITH THE DEDICATION OF PORTIONS OF 2400 SOUTH AND 4800 WEST) LOCATED IN THE EAST 1/2 OF SECTION 24, T1S., R2W., S. L. B. & M. AND IN THE NORTHWEST 1/4 OF SECTION 19, T1S., R1W., S.L.B.&M.



**HORROCKS ENGINEERS**

2162 West Grove Parkway  
Suite 400  
Pleasant Grove, UT 84062  
(801) 763-5100  
lonnie@horrocks.com

PROPERTY DESCRIPTION

A PARCEL OF LAND SITUATE IN THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 WEST, AND IN THE EAST 1/2 OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, IN SALT LAKE COUNTY, STATE OF UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS 80.07 FEET S.00°03'25"W. ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SAID SECTION 19 (SAID POINT ALSO BEING 43.07 FEET S.00°03'25"W. FROM THE WITNESS CORNER TO THE NORTHWEST CORNER OF SAID SECTION 19); AND RUNNING THENCE S.89°43'29"E. 1157.69 FEET ALONG THE NORTHERLY BOUNDARY LINE OF SAID LOT 1; THENCE ALONG THE EASTERLY BOUNDARY LINES OF SAID LOT 1 THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES: (1) THENCE S.00°13'40"W. 233.10 FEET; (2) THENCE S.89°36'16"E. 32.70 FEET; (3) THENCE S.00°01'49"E. 397.97 FEET; (4) THENCE S.89°49'46"W. 5.00 FEET; (5) THENCE S.00°00'24"E. 184.13 FEET; (6) THENCE S.89°49'46"W. 9.50 FEET; (7) THENCE S.89°49'46"W. 281.90 FEET; (8) THENCE S.00°00'24"E. 46.61 FEET; (9) THENCE S.89°49'46"W. 281.90 FEET; (10) THENCE S.00°00'24"E. 46.61 FEET; (11) THENCE S.89°49'46"W. 281.90 FEET; (12) THENCE S.00°00'23"E. 326.28 FEET; (13) THENCE S.89°47'34"E. 413.21 FEET; (14) THENCE S.00°01'17"E. 1327.29 FEET; THENCE N.89°53'30"W. 1324.10 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 1 AND THE EXTENSION THEREOF TO THE WEST QUARTER CORNER OF SAID SECTION 19; THENCE S.89°43'26"W. 1190.45 FEET ALONG THE QUARTER SECTION LINE AND THE SOUTHERLY RIGHT OF WAY LINE OF 2400 SOUTH STREET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 4737.00 FEET; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) WESTERLY ALONG THE ARC OF SAID CURVE 396.32 FEET, CHORD BEARS S.87°22'41"W. 396.21 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 4803.00 FEET; (2) THENCE WESTERLY ALONG THE ARC OF SAID CURVE 402.31 FEET, CHORD BEARS S.87°19'57"W. 402.19 FEET TO WESTERLY BOUNDARY LINE OF WEST VALLEY TRUCK CENTER SUBDIVISION; THENCE N.00°08'26"E. 66.00 FEET ALONG SAID WESTERLY BOUNDARY LINE TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 4737.00 FEET ON THE NORTHERLY RIGHT OF WAY LINE OF 2400 SOUTH STREET; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) EASTERLY ALONG THE ARC OF SAID CURVE 396.35 FEET, CHORD BEARS N.87°19'46"E. 396.23 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 4803.00 FEET; (2) THENCE EASTERLY ALONG THE ARC OF SAID CURVE 401.87 FEET, CHORD BEARS N.87°22'40"E. 401.75 FEET; (3) THENCE N.89°43'26"E. 767.06 FEET TO THE POINT OF TANGENCY OF A CURVE TO THE LEFT WITH A RADIUS OF 394.00 FEET; (4) THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 616.60 FEET, CHORD BEARS N.44°53'25"E. 555.58 FEET; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF 4800 WEST STREET THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: (1) N.00°03'25"E. 60.00 FEET TO THE POINT OF TANGENCY OF A CURVE TO THE RIGHT WITH A RADIUS OF 3033.00 FEET; (2) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 221.55 FEET, CHORD BEARS N.02°08'58"E. 221.50 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT WITH A RADIUS OF 2967.00 FEET; (3) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 216.73 FEET, CHORD BEARS N.02°08'58"E. 216.68 FEET; (4) THENCE N.00°03'25"E. 1449.16 FEET; (5) THENCE N.03°45'26"W. 75.17 FEET; (6) THENCE N.00°03'25"E. 50.20 FEET; (7) THENCE N.42°56'37"W. 65.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF 2100 SOUTH FRONTAGE ROAD; THENCE N.89°43'52"E. 65.33 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 77.084 ACRES, CONTAINING ONE LOT, TWO PARCELS AND ROAD DEDICATION.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT E & E INVESTMENTS CO. AND WEST VALLEY CITY ARE THE OWNERS OF THE HEREOF DESCRIBED TRACTS OF LAND AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO AN AMENDED LOT, PARCELS AND STREETS TOGETHER WITH EASEMENTS AS SET FORTH, HEREAFTER TO BE KNOWN AS "CR ENGLAND SUBDIVISION, LOT 1 AMENDED AND EXTENDED WITH STREET DEDICATION", DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL NON-EXCLUSIVE EASEMENTS OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT THE SAME TO BE USED FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF, **E & E INVESTMENT CO.**, HAS CAUSED THIS INSTRUMENT TO BE EXECUTED BY ITS PROPER OFFICERS THEREUNTO DULY AUTHORIZED, THIS \_\_\_\_ DAY OF \_\_, A.D. 20 \_\_.

SIGNED IN THE PRESENCE OF:

STATE OF UTAH ) SS. **E & E INVESTMENT CO.**  
COUNTY OF ) BY

ON THE DATE FIRST ABOVE WRITTEN PERSONALLY APPEARED BEFORE ME \_\_\_\_\_ WHO, BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS A PARTNER OF THE FIRM OF E & E INVESTMENT CO., A LIMITED-PARTNERSHIP, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID LIMITED-PARTNERSHIP BY AUTHORITY OF ALL PARTNERS, AND SAID GRANTOR ACKNOWLEDGED TO ME THAT SAID LIMITED-PARTNERSHIP EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL STAMP THE DATE IN THIS CERTIFICATE FIRST ABOVE WRITTEN:

NOTARY PUBLIC

IN WITNESS WHEREOF, SAID **WEST VALLEY CITY** HAS CAUSED THIS INSTRUMENT TO BE EXECUTED BY ITS PROPER OFFICERS THEREUNTO DULY AUTHORIZED, THIS \_\_\_\_ DAY OF \_\_, A.D. 20 \_\_.

STATE OF UTAH ) SS. **WEST VALLEY CITY MAYOR**  
COUNTY OF ) BY

ON THE DATE FIRST ABOVE WRITTEN PERSONALLY APPEARED BEFORE ME \_\_\_\_\_ WHO, BEING BY ME DULY SWORN, DID SAY THAT HE IS THE \_\_\_\_\_ MAYOR OF WEST VALLEY CITY \_\_\_\_\_, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID MUNICIPAL CORPORATION WITH A RESOLUTION BY THE WEST VALLEY CITY COUNCIL AND SAID \_\_\_\_\_ ACKNOWLEDGED TO ME THAT SAID MUNICIPAL CORPORATION EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL STAMP THE DATE IN THIS CERTIFICATE FIRST ABOVE WRITTEN:

NOTARY PUBLIC

CR ENGLAND SUBDIVISION, LOT 1 AMENDED AND EXTENDED WITH STREET DEDICATION

(AMENDING AND EXTENDING LOT 1 TO CREAT LOT 1A AND PARCEL A,B, & C ALONG WITH THE DEDICATION OF PORTIONS OF 2400 SOUTH AND 4800 WEST) LOCATED IN THE EAST 1/2 OF SECTION 24, T1S., R2W., S. L. B. & M. AND IN THE NORTHWEST 1/4 OF SECTION 19, T1S., R1W., S.L.B.&M.

SALT LAKE COUNTY RECORDER

RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_

RECORDED AS ENTRY NUMBER \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

FEE \$ \_\_\_\_\_ SALT LAKE COUNTY RECORDER

SHEET 1 OF 2

PROJECT NUMBER:

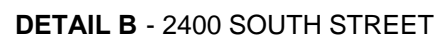
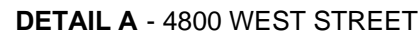
MANAGER:

DRAWN BY:

CHECKED BY:

DATE:

### LEGEND



Line Table		
Line #	Length	Direction
L1	39.93'	N89° 53' 30"W
L2	283.96'	N0° 03' 25"E
L3	33.07'	N0° 00' 23"E
L4	48.05'	N0° 03' 25"E
L5	90.15'	S89° 43' 29"W



(AMENDING AND EXTENDING LOT 1 TO CREAT LOT 1A AND PARCEL A,B, & C ALONG WITH THE DEDICATION OF PORTIONS OF 2400 SOUTH AND 4800 WEST) LOCATED IN THE EAST 1/2 OF SECTION 24, T1S., R2W., S.L.B.&M. AND IN THE NORTHWEST 1/4 OF SECTION 19, T1S., R1W., S.L.B.&M.

**SHEET 2 OF 2**

SALT LAKE COUNTY RECORDER

RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_  
RECORDED AS ENTRY NUMBER \_\_\_\_\_

DATE: TIME: BOOK: PAGE:

FEE \$	SALT LAKE COUNTY RECORDER
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**HORROCKS**  
ENGINEERS

2162 West Grove Parkway  
Suite 400  
Pleasant Grove, UT 84062  
(801) 763-5100  
lonnie@horrocks.com

ITEM#: \_\_\_\_\_  
FISCAL IMPACT: \_\_\_\_\_  
FUNDING SOURCE: \_\_\_\_\_  
ACCOUNT #: \_\_\_\_\_  
BUDGET OPENING REQ'D: \_\_\_\_\_

**ISSUE:**

S-17-2016 – Collings/Harvey Subdivision

**SYNOPSIS:**

Applicant: Jared Collings  
Proposal: Final Plat  
Location: 2991 West 3835 South  
Lots: 2  
Acres: .46  
Zoning: R-1-8

**BACKGROUND:**

Mr. Jared Collings, is seeking final subdivision approval for a two lot subdivision located at 2991 West 3835 South. The subdivision consists of two lots, the smallest of which contains an existing single-family dwelling. The new subdivision will also amend lot 5 of the Bangerter Subdivision.

The proposed subdivision will result in the creation of 2 lots from a large lot having double frontage along 3835 South and 3875 South. Lot 1 is approximately 9,540 square feet, while lot 2 will be approximately 10,590 square feet. The new lot will gain access from 3875 South and will allow for the construction of a new single family dwelling.

The proposed subdivision will amend lot 5 of the Bangerter Subdivision. This subdivision was recorded in 1953. Lots that were platted within the subdivision were approximately 66 feet wide and 305 feet deep. To address the lack of required frontage, the Board of Adjustment granted a variance in June 2016 to allow the property to subdivide with a width of 66 feet where 80 feet is required.

The applicant will be required to improve 3875 South to a 25-foot half width. Rolled gutter presently exists, but sidewalk does not. The applicant will be required to install the sidewalk to match the existing walk to the east. Sidewalk does not exist to the west of the property. Formal improvements along 3835 South have not been installed. However, the Public Works Department has discussed a possible delay agreement, but a decision about this has not yet been made.

**RECOMMENDATION:**

The Planning Commission approved this application.

**SUBMITTED BY:**

Steve Lehman  
Current Planning Manager



**WEST VALLEY CITY, UTAH**

**ORDINANCE NO. \_\_\_\_\_**

Draft Date: \_\_\_\_\_  
Date Adopted: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**AN ORDINANCE APPROVING THE AMENDMENT OF LOT 5 IN  
THE BANGERTER SUBDIVISION.**

**WHEREAS**, the City is in receipt of petition S-17-2016, proposing an amendment to lot 5 of the Bangerter Subdivision located at approximately 2991 West 3835 South; and

**WHEREAS**, the purpose for the application is to amend lot 5 to create an additional building lot; and

**WHEREAS**, proper notice was given and a public hearing was held pursuant to Section 10-9a-207, Utah Code Annotated; and

**WHEREAS**, the City Council finds that after the public hearing, that there is good cause for the plat amendment, and that neither the public nor any person will be materially injured by the proposed plat amendment and that the approval is in the best interest of the health, safety and welfare of the citizens of West Valley City; and

**NOW THEREFORE, BE IT ORDAINED** by the City Council of West Valley City, State of Utah, as follows:

- Section 1.** The amendment to lot 5 of the Bangerter Subdivision located at approximately 2991 West 3835 South and as shown in Petition No. S-17-2016, is hereby approved.
- Section 2.** This Ordinance shall have no force or effect on any rights-of-way or easements of any lot owner, and the franchise rights of any public utilities shall not be impaired thereby, nor shall it have any force or effect on any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property or as are or may be shown on the official plats and records of Salt Lake County.

**Section 3.** The City Recorder is hereby directed to record this Ordinance with the Salt Lake County Recorder's Office.

**Section 4.** This Ordinance shall become effective immediately upon posting as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

**S-17-2016**  
**Collings/Harvey Subdivision**  
**2991 West 3835 South**  
**R-1-8 Zone**  
**2 Lots**  
**.46 Acres**

## **BACKGROUND**

Mr. Jared Collings, is seeking preliminary and final subdivision approval for a two lot subdivision located at 2991 West 3835 South. The subdivision consists of two lots, the smallest of which contains an existing single-family dwelling. The new subdivision will also amend lot 5 of the Bangerter Subdivision.

## **STAFF/AGENCY COMMENTS:**

### Fire Department:

- Fire hydrant to be located within 250 feet of the new dwelling.

### Granger Hunter Improvement District:

- Project will need to run availability for water and sewer.
- Subject to design and review inspections.

### Utility Agencies:

- Subject to all standard easement locations.

### Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- Bonding for any off-site improvements and payment of flood impact fees.
- Dedication and improvement of 3875 South to include sidewalk.
- Revisions to final plat are required.



**ISSUES:**

- The proposed subdivision will result in the creation of 2 lots from a large lot having double frontage along 3835 South and 3875 South. Lot 1 is approximately 9,540 square feet, while lot 2 will be approximately 10,590 square feet. The new lot will gain access from 3875 South and will allow for the construction of a new single family dwelling.
- The proposed subdivision will amend lot 5 of the Bangerter Subdivision. This subdivision was recorded in 1953. Lots that were platted within the subdivision were approximately 66 feet wide and 305 feet deep. To address the lack of required frontage, the Board of Adjustment granted a variance in June 2016 to allow the property to subdivide with a width of 66 feet where 80 feet is required.
- The subject property is being processed as a minor subdivision rather than a lot split because an existing protection strip is located adjacent to 3875 South Street. The existing 1-foot protection strip will be dedicated to West Valley City as part of the subdivision plat. The applicant resolved the acquisition of the protection strip when they purchased the property. While protection strips were allowed under Salt Lake County's jurisdiction, West Valley City does not allow them.
- The applicant will be required to improve 3875 South to a 25-foot half width. Rolled gutter presently exists, but sidewalk does not. The applicant will be required to install the sidewalk to match the existing walk to the east. Sidewalk does not exist to the west of the property. Formal improvements along 3835 South have not been installed. However, the Public Works Department has discussed a possible delay agreement, but a decision about this has not yet been made.
- The applicant will be responsible to coordinate with the Fire Department regarding fire hydrant locations. City Ordinance requires that the nearest fire hydrant be located no greater than 250 feet from the new dwelling.

**STAFF ALTERNATIVE:**

1. Grant preliminary and final plat approval for the Collings Harvey 2 Lot Subdivision subject to a resolution of staff and agency concerns.
2. Continue the application to address issues raised during the Planning Commission meeting.

**Applicant:**  
Philip Harvey

**Discussion:** Commissioner Matheson asked if water and sewer are available on both of the streets fronting this property. Steve Lehman said all services are available.

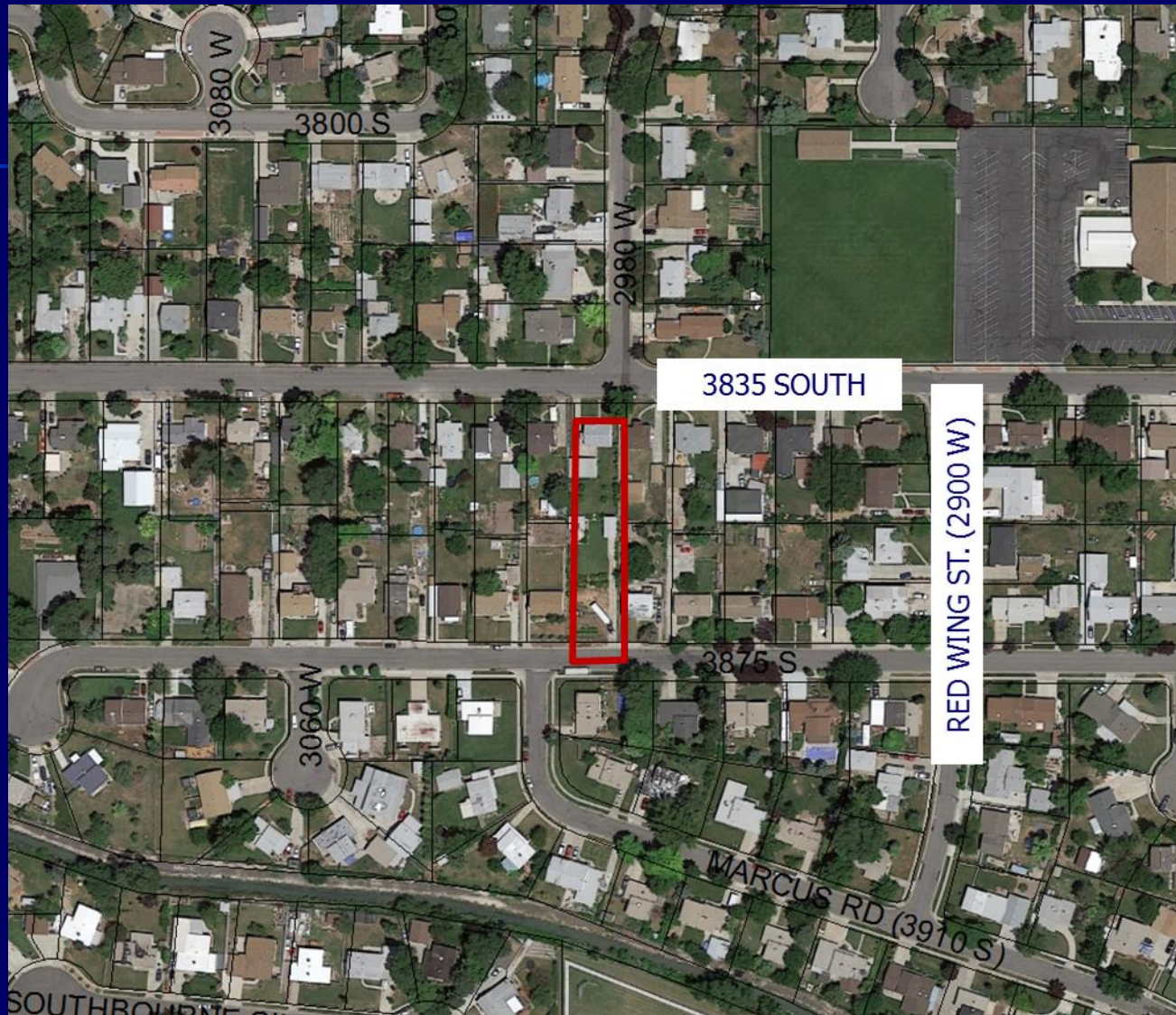
**Motion:** Commissioner Fuller moved to approve S-17-2016.

Commissioner Matheson seconded the motion.

<b>Roll call vote:</b>	
Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – S-17-2016 – Approved**

**S-17-2016 JARED COLLINGS and PHILIP HARVEY** are requesting **minor subdivision approval** for the Collings/Harvey Subdivision. The subdivision is located at 2991 West 3835 South and is zoned R-1-8 (Single Family Residential). The subdivision is approximately .46 acres in size. (Staff - **Steve Lehman** at 801-963-3311)





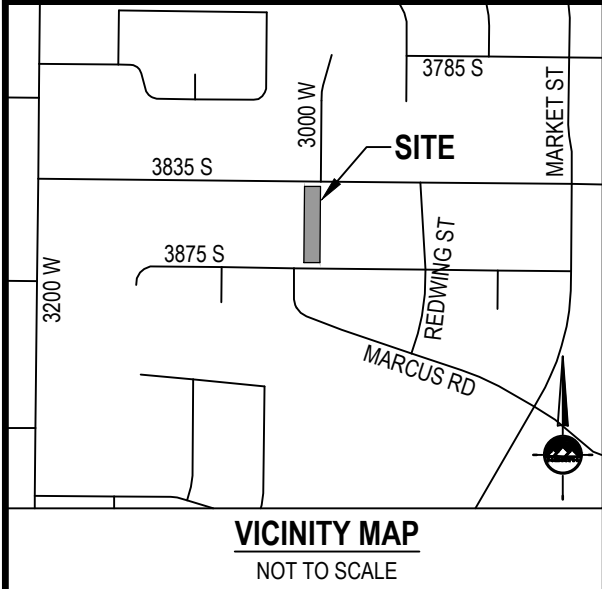
**S-17-2016 JARED COLLINGS and PHILIP HARVEY** are requesting **minor subdivision approval** for the Collings/Harvey Subdivision. The subdivision is located at 2991 West 3835 South and is zoned R-1-8 (Single Family Residential). The subdivision is approximately .46 acres in size. (Staff - **Steve Lehman** at 801-963-3311)



RED WING ST. (2900 W)







# COLLINGS HARVEY 2 LOT SUBDIVISION

AMENDING LOT 5 OF BANGERTER SUBDIVISION  
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 33  
TOWNSHIP 1 SOUTH, RANGE 1 WEST  
SALT LAKE BASE AND MERIDIAN  
WEST VALLEY CITY, SALT LAKE COUNTY, UTAH

## LEGEND

- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SECTION CORNER
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE

## WEST VALLEY CITY PLAT NOTES

- A SOILS REPORT IN ACCORDANCE WITH SECTION 7-19-604 OF THE WEST VALLEY CITY ORDINANCES HAS BEEN PREPARED BY \_\_\_\_\_, REPORT # \_\_\_\_\_, DATED: \_\_\_\_\_.
- ELEVATION OF LOWEST FLOOR SLAB TO BE AT LEAST 3.00' ABOVE HIGH WATER TABLE.
- OFF-SET PINS TO BE PLACED IN THE BACK OF CURBS AND 5/8" x 24" REBAR WITH NUMBERED SURVEY CAP TO BE PLACED AT ALL REAR CORNERS PRIOR TO ANY OCCUPANCY.
- BUILDING PERMITS WILL NOT BE ISSUED FOR ANY STRUCTURE UNTIL: 1) ASPHALT PAVING IS INSTALLED; AND 2) FIRE HYDRANTS ARE INSTALLED, APPROVED & CHARGED.

QUESTAR NOTE:  
QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

## ROCKY MOUNTAIN POWER NOTES:

- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(VIII) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
  - A RECORDED EASEMENT OR RIGHT-OF-WAY
  - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
  - TITLE 54, CHAPTER 9A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
  - ANY OTHER PROVISION OF LAW.

EASEMENT APPROVAL	
CENTURYLINK	DATE _____
ROCKY MOUNTAIN POWER	DATE _____
QUESTAR GAS CO.	DATE _____
COMCAST	DATE _____

WEST VALLEY PLANNING COMMISSION APPROVAL	
APPROVED THIS _____ DAY OF _____, 20____.	BY THE WEST VALLEY CITY PLANNING COMMISSION.
CHAIR, WEST VALLEY CITY PLANNING COMMISSION	

SALT LAKE COUNTY HEALTH DEPARTMENT APPROVAL	
APPROVED THIS _____ DAY OF _____, 20____.	BY THE SALT LAKE COUNTY HEALTH DEPARTMENT.
SALT LAKE COUNTY HEALTH DEPARTMENT	

KERNS IMPROVEMENT DISTRICT	
APPROVED THIS _____ DAY OF _____, 20____.	BY THE KERNS IMPROVEMENT DISTRICT.
DISTRICT ENGINEER	

WEST VALLEY CITY ENGINEER	
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.	
WEST VALLEY CITY ENGINEER	DATE _____

CITY ATTORNEY'S APPROVAL	
APPROVED THIS _____ DAY OF _____, 20____.	BY THE WEST VALLEY CITY ATTORNEY.
WEST VALLEY CITY ATTORNEY	

WEST VALLEY CITY COUNCIL	
APPROVED THIS _____ DAY OF _____, 20____.	BY THE WEST VALLEY CITY COUNCIL.
ATTEST: CITY RECORDER	MAYOR

RECORDED # _____	
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: _____	
DATE: _____	TIME: _____ BOOK: _____ PAGE: _____
FEES _____	DEPUTY SALT LAKE COUNTY RECORDER

## SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 286882 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as COLLINGS HARVEY 2 LOT SUBDIVISION, and that the same has been correctly surveyed and staked on the ground as shown on this plat.

## BOUNDARY DESCRIPTION

Beginning at the Northwest Corner of Lot 5 of Bangerter Subdivision, recorded as Entry No. 1292337 in the Office of the Salt Lake County Recorder, said point being South 00°00'20" West 355.00 feet along the section line and East 1,085.78 feet from the West Quarter Corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian; and running

thence East 66.00 feet along the Southerly Right-of-Way Line of 3835 South Street to the Northeast Corner of said Lot 5 of Bangerter Subdivision;  
thence South 306.00 feet along the Easterly Boundary Line of said Lot 5 of Bangerter Subdivision and its extension to the Northerly Right-of-Way Line of 3875 South Street;  
thence West 66.00 feet along the Northerly Right-of-Way Line of 3875 South Street to the extension of the Westerly Boundary Line of said Lot 5 of Bangerter Subdivision;  
thence North 306.00 feet along the extension and the Westerly Boundary Line of said Lot 5 of Bangerter Subdivision to the point of beginning.

Contains 20,196 Square Feet or 0.464 Acres and 2 Lots

DATE \_\_\_\_\_

PATRICK M. HARRIS  
P.L.S. 286882

## OWNER'S DEDICATION

Known all men by these presents that I / we, the undersigned owner (s) of the above described tract of land, having caused same to be subdivided into lots, streets and easements, hereafter known as the

## COLLINGS HARVEY 2 LOT SUBDIVISION AMENDING LOT 5 OF BANGERTER SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof I / we have hereunto set our hand (s) this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

By: \_\_\_\_\_

By: \_\_\_\_\_

## CORPORATE ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, personally appeared before me \_\_\_\_\_, the signer of the foregoing instrument, who duly acknowledged to me that he/she is the \_\_\_\_\_ of \_\_\_\_\_, a Utah Corporation, and is authorized to execute the foregoing Agreement in its behalf and that he/she executed it in such capacity.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC RESIDING IN \_\_\_\_\_ COUNTY.

## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Salt Lake  
On the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, personally appeared before me \_\_\_\_\_, the signer of the foregoing instrument, who duly acknowledged to me that he/she is a \_\_\_\_\_ of \_\_\_\_\_, a Utah limited liability company, and is authorized to execute the foregoing Agreement in its behalf and that he/she executed it in such capacity.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC RESIDING IN \_\_\_\_\_ COUNTY.

## DEVELOPER

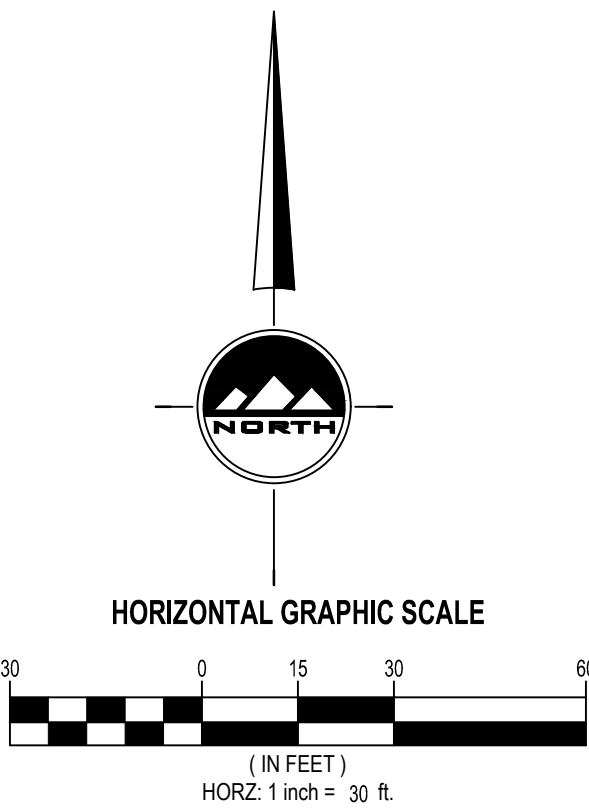


SALT LAKE CITY  
45 W. 10000 S., Suite 500  
Sandy, UT 84070  
Phone: 801.255.0629  
Fax: 801.255.4449  
WWW.ENSIGNENG.COM

LAYTON  
Phone: 801.547.1100  
TOOELE  
Phone: 435.432.2080  
CEDAR CITY  
Phone: 435.865.1453  
RICHFIELD  
Phone: 435.896.2083

## SHEET 1 OF 1

PROJECT NUMBER : 7008  
MANAGER : DAJ  
DRAWN BY : KFW  
CHECKED BY : PMH  
DATE : 6/28/16





Item: \_\_\_\_\_  
Fiscal Impact: \_\_\_\_\_  
Funding Source: \_\_\_\_\_  
Account #: \_\_\_\_\_  
Budget Opening Required: ☐

**ISSUE:**

This resolution approves an amendment to the agreement between West Valley City and Utility Cost Management Consultants (“UCMC”) for utility consulting services.

**SYNOPSIS:**

The City’s contract with UCMC retains the firm for a two-year period to review certain utility billings as requested by the City. UCMC shall review billings and make recommendations concerning rate changes which could result in utility cost savings for the City. UCMC is compensated only if their recommendations are accepted and implemented by the City, at the City’s sole discretion, with compensation being 35% of actual savings for three years following implementation.

This amendment to the agreement is meant to limit the scope of work and recommendations that UCMC can provide to the City. The amendment was drafted to prevent possible double billing of cost savings generated or conceived by sources other than UCMC.

**BACKGROUND:**

The City has previously contracted with UCMC and realized savings from recommendations. We have made modifications to the most recent contract to limit the scope of work performed by UCMC. This will allow the City to proceed with new capital infrastructure projects without the potential of being billed for cost savings from capital projects updates also suggested by UCMC.

**RECOMMENDATION:**

City staff recommends approval of the resolution.

**SUBMITTED BY:**

Andrew D. Wallentine, Management Analyst

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE  
AGREEMENT WITH UTILITY COST MANAGEMENT  
CONSULTANTS FOR CERTAIN CONSULTING SERVICES.**

**WHEREAS**, by way of Resolution 16-41 passed by the City Council on February 23, 2016, West Valley City approved an agreement (hereinafter the "Agreement") with Utility Cost Management Consultants (hereinafter "UCMC") to provide certain consulting services; and

**WHEREAS**, the City and UCMC wish to amend the Agreement to extend the term of the contract, and to reflect changes in process; and

**WHEREAS**, an amendment to the Agreement has been prepared for execution by and between the City and UCMC, a copy of which is attached hereto and entitled "Amendment No. 1 to the Agreement with Utility Cost Management Consultants for Review of the City's Utility Billing" (hereinafter the "Amendment"), which sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

**WHEREAS**, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to approve the Amendment to the Agreement with UCMC;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of West Valley City, Utah, that the Amendment is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Amendment for and in behalf of West Valley City, subject to approval of the final form of the Amendment by the City Manager and the City Attorney's Office.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

**AMENDMENT NO. 1**  
**TO THE**  
**AGREEMENT WITH UTILITY COST MANAGEMENT CONSULTANTS**  
**FOR REVIEW OF THE CITY'S UTILITY BILLING**

---

This Amendment No. 1 to the Utility Cost Consulting Agreement (hereinafter referred to as the "Amendment") is entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between West Valley City, a municipal corporation organized under the laws of the State of Utah (hereinafter referred to as the "City"), and Utility Cost Management Consultants, a Utah corporation, (hereinafter referred to as "UCMC"). Collectively the City and UCMC are referred to as the "Parties."

**WITNESSETH**

**WHEREAS**, the Parties entered into the Utility Cost Consulting Agreement (hereinafter referred to as the "Agreement") on February 9, 2016; and

**WHEREAS**, the Parties desire to amend certain provisions of the Agreement to extend the Agreement and reflect changes in process; and

**NOW THEREFORE**, in consideration of the covenants and promises contained in this Amendment No. 1, the Parties agree as follows:

**AGREEMENT**

The Parties hereby agree to amend the Agreement as follows:

1. A. Section 1, UCMC's Obligations is hereby amended as follows:

UCMC's Obligations. UCMC shall perform the following services for the City:

- a. At the request of the City, UCMC shall review billings related to electricity, natural gas, water, and sewer charges. UCMC's review shall be limited to billings provided to UCMC by the City or authorized by the City in writing. UCMC shall provide the City with rate change recommendations.
- b. UCMC shall make recommendations to reduce utility costs and to recover overcharges (the "Recommendations") with regard to only those billings described in subsection 1(a) of this Agreement. The Recommendations shall be made in writing and shall set forth the justification for any proposed changes and anticipated savings and/or recovery as a result of the implementation of the Recommendations.

- B. Section 3, Compensation is hereby amended as follows:

Compensation. UCMC shall be compensated as set forth in this Section 3.



- a. Subject to the restrictions in this Agreement, UCMC shall be entitled to receive 40% of one-time refunds or overcharges received by the City as a result of an Accepted Recommendation.
- b. Subject to the restrictions in this Agreement, UCMC shall also be entitled to receive 35% of savings realized by the City as a result of an Accepted Recommendation for a period of 36 months after the implementation of the Accepted Recommendation. If an Accepted Recommendation generates negative savings in a billing period during the 36 months, that amount shall offset any future savings compensation owed by the City to UCMC.
- c. UCMC shall receive no compensation for Recommendations not accepted or implemented by the City. UCMC shall receive no compensation for Recommendations not solicited by the City in accordance with Section 1 of this Agreement. UCMC acknowledges and agrees that there is no guarantee of acceptance of any UCMC Recommendation and that UCMC shall receive no compensation if UCMC's Recommendations are not accepted and implemented by the City.
- d. On a monthly basis, UCMC shall prepare an invoice setting forth the savings or refunds resulting from Accepted Recommendations and the amount owed to UCMC by the City pursuant to this Agreement. The invoice shall explain UCMC's calculations in detail and shall set forth with specificity the connection between any savings or refunds and Accepted Recommendations.
- e. UCMC shall not be compensated for any of the following or include any of the following in UCMC's savings or refund calculations:
  - i. Savings and/or refunds resulting from anything other than an Approved Recommendation;
  - ii. Savings and/or refunds resulting from facility closure or reduction of operating hours;
  - iii. Savings and/or refunds realized more than 36 months after the implementation of an Approved Recommendation;
  - iv. Savings and/or refunds received as a result of a recommendation made by UCMC prior to the execution of this Agreement except for those explicitly set forth in Exhibit A; and
  - v. Savings and/or refunds anticipated but not actually received by the City.
- f. Payment shall be made to UCMC by the City within 45 days of receipt of an invoice prepared in accordance with subsection 3(d) above. If the City requests clarification or additional detail concerning an invoice, the due date for payment shall be extended to account for UCMC's provision of that information.

- g. In the event of a proposal pursuant to Subsection 1(c) of this Agreement, UCMC shall be compensated as mutually agreed during the procurement process. UCMC would not be compensated for utility savings as set forth in this Section 3, but would receive only that amount agreed upon during the procurement process.
2. Other Terms and Conditions Remain. In the event of any inconsistencies between the Agreement and this Amendment No. 1, the terms of this Amendment No. 1 shall control. Except as expressly set forth in this Amendment No. 1, the Agreement is otherwise unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to this Amendment No. 1.
3. Capitalized Terms. All capitalized terms used, but not defined in this Amendment No. 1 shall have the same meanings as defined in the Agreement.

*(Signature page follows.)*

IN WITNESS WHEREOF, the Parties have duly executed this Amendment No. 1, on or above the date first written.

WEST VALLEY CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM  
West Valley City Attorney

By: \_\_\_\_\_

Date: \_\_\_\_\_

UTILITY COST MANAGEMENT  
CONSULTANTS

\_\_\_\_\_  
By:

Title: \_\_\_\_\_

STATE OF \_\_\_\_\_)

: ss.

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me \_\_\_\_\_, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the \_\_\_\_\_ [title] of Utility Cost Management Consultants, a corporation, and that this *Amendment No. 1 to the Agreement with Utility Cost Management Consultants for Review of the City's Utility Billing* was signed by him/her in behalf of said corporation by authority of its bylaws or of a Resolution of its Board of Directors, and he/she acknowledged to me that said corporation executed the same.

\_\_\_\_\_  
Notary Public



Item #:	
Fiscal Impact:	\$68,048
Funding Source:	ICO Development
Account #:	22-6079-40310-00000-0000
Budget Opening Required:	No

**ISSUE:**

Development Backbone Contract between Rocky Mountain Power and West Valley City

**SYNOPSIS:**

An agreement to install power backbone facilities for Fairbourne Station Phase 2

**BACKGROUND:**

This agreement facilitates the installation of power backbone facilities for Phase 2 of the ICO Residential project at Fairbourne Station. As part of the roadway project, West Valley City is installing conduit and power vaults necessary for Rocky Mountain Power to provide power to the project.

The funds required by this agreement (\$68,048) will be reimbursed by ICO to West Valley City by way of a development agreement.

**RECOMMENDATION:**

Approval and Execution of the Agreement

**SUBMITTED BY:**

Daniel Johnson, P.E., City Engineer

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING A DEVELOPMENT  
BACKBONE CONTRACT BETWEEN ROCKY MOUNTAIN  
POWER AND WEST VALLEY CITY FOR INSTALLATION  
OF THE ELECTRICAL POWER BACKBONE AT  
FAIRBOURNE STATION PHASE 2.**

**WHEREAS**, the City is engaged in the Fairbourne Station Phase 2 of the ICO Residential project (herein the “Project”) at Fairbourne Station; and

**WHEREAS**, the City desires to have Rocky Mountain Power (“RMP”) install the power backbone to provide power for the new buildings in the Project; and

**WHEREAS**, an agreement entitled “Development Backbone Contract between Rocky Mountain Power and West Valley City” (the “Agreement”) has been prepared for execution by and between the City and RMP. This Agreement, which is attached hereto, sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

**WHEREAS**, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to approve the Agreement between West Valley City and RMP;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of West Valley City, Utah, that the Agreement between West Valley City and RMP is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement for and in behalf of West Valley City, subject to approval of the final form of the Agreement by the City Manager and the City Attorney’s Office.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**WEST VALLEY CITY**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY RECORDER**



*Let's turn the answers on.*

Salt Lake Service Center  
1569 West North Temple  
Salt Lake City, Utah 84116

May 9, 2016

RE: Backbone power for Fairbourne Station phase 2.

Dear : Mr. Johnson

Enclosed are the following:

- ☐ General Service Contract (2 copies)
- ☐ Map (3 copies)

Please have an authorized individual sign all copies of the agreement and the maps marked Exhibit "A". Return all copies of the agreement and the signed maps with a check (made payable to Rocky Mountain Power) for \$68,048.00.

One map is for your records. An executed copy of the agreement will be sent back to you.

It will be a minimum of four weeks after contracts and monies are received before this job can be scheduled for construction. If you have any questions, please call me at (801) 220-7217 .

Sincerely,

Brad Jordison  
Estimator



**DEVELOPMENT BACKBONE CONTRACT**  
**between**  
**ROCKY MOUNTAIN POWER**  
**and**  
**WEST VALLEY CITY**

This Development Backbone Contract ("Contract"), dated April 29, 2016 is between Rocky Mountain Power, an unincorporated division of PacifiCorp ("Company"), and **West Valley City** ("Customer"), for a commercial **Development Backbone Distribution System** for Customer's development to be known as Fairbourne Station (the "Development"); located at or near 3500 South 2970 West, Utah, for 2 lots within the Development.

Company's filed tariffs (the "Electric Service Schedules") and the rules (the "Electric Service Regulations") of the Utah Public Service Commission ("Commission"), as they may be amended from time to time, regulate this Contract and are incorporated into this contract. In the event of any conflict between this Contract and the Electric Service Schedules or the Electric Service Regulations, such schedule and rules shall control. They are available for review at Customer's request.

1. **Delivery of Power.** Company will provide 7200/12,470 volt, three-phase electric service to said lots within the Development.
2. **Extension Costs.** Customer agrees to pay all construction costs (the "Advance") for the improvements (the "Improvements") in the amount of \$68,048.00, of which the Customer has paid \$0.00 for engineering, design or other advance payment for Company's facilities. **The balance due is \$68,048.00.**
3. **Customer Obligations.** Customer agrees to:
  - a) Provide legal rights-of-way to Company, at no cost to Company, using Company's standard forms. This includes rights-of-way on Customer's property and within Customer's Development and/or adjoining property and any permits, fees, etc. required to cross public lands;
  - b) Prepare the route to Company's specifications;
  - c) Comply, and pay for any costs necessary to comply, with all of Company's tariffs, procedures, specifications and requirements; and,
  - d) Repair, or pay for the repair of, any damage to Company's facilities except damage caused by the negligence of Company.
4. **Underground Facilities.** If service is provided by an underground line extension, Customer will provide, or Company will provide at Customer's expense, all necessary trenching and backfilling, imported backfill material, conduit & duct, and furnish and install all equipment foundations, as designed by Company. Company may abandon in place any underground cables installed under this Contract that are no longer useful to Company. Customer also agrees to:
  - a) Establish final grade for routing of circuits, placement of transformer vault, other vaults, junction boxes and other underground facilities as required by Company;

- b) Install and maintain property lines and survey stakes;
- c) Install all Customer provided trench, conduit, equipment foundations, or excavations for equipment foundations within the legal rights-of-ways; and,
- d) Make no permanent surface improvements, except curb and gutters, before Company completes installation of its facilities.

Customer warrants that all Customer provided trench and excavations for equipment foundations, and Customer installed conduit and equipment foundations are installed within legal rights-of-way, and conform to the specifications in Company's Electric Service Requirements Manual, and other specifications as otherwise provided by Company. In the event Customer fails to comply with the foregoing, Customer shall be liable for the cost to Company for relocating the facilities within a legal right-of-way, acquiring right-of-way for Company facilities, repair or replacement of improperly installed conduit or foundations, and paying costs for damages that may arise to any third party as a result of Company facilities being located outside of a legal right-of-way.

If any change in grade, property lines, or any surface improvements require Company to change its facilities, or causes additional cost to Company, Customer agrees to reimburse Company for such change or cost. The provisions of this paragraph 4 shall survive the termination of this Contract.

5. **Effective.** This Contract will expire unless Customer:

- a) Signs and return an original of this Contract along with any required payment to Company within ninety (90) days of the Contract date shown on page 1 of this Contract; and
- b) Is ready to receive service within one-hundred fifty (150) days of the Customer signature date recorded below.

6. **Special Provisions: Customer is responsible for any vaults, trenching, shading, conduit and backfill.**

7. **Design, Construction, Ownership and Operation.** Company shall design, construct, install, and operate the Improvements in accordance with Company's standards. Company will own the Improvements, together with Company's existing electric utility facilities that serve or will serve Customer. Construction of the Improvements shall not begin until (1) both Company and Customer have executed (signed) this Contract, and (2) all other requirements prior to construction have been fulfilled, such as permits, payments received, inspection, etc. Any delays by the Customer concerning site preparation and right-of-way acquisition or trenching, inspection, permits, etc. may correspondingly delay completion of the Improvements.

Company warrants that its work in constructing and maintaining the Improvements shall be consistent with prudent utility practices. **COMPANY DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTY OF MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE, AND SIMILAR WARRANTIES.** Company's liability for breach of warranty, defects in the Improvements, or installation of the Improvements shall be limited to repair or replacement of any non-operating or defective portion of the Improvements or Company's other electric utility facilities. Under no circumstances shall Company be liable for other economic losses, including but not limited to consequential damages. Company shall not be subject to any liability or damages for inability to provide service to the extent that such failure shall be due to causes beyond the reasonable control of Company.



No other party, including Customer, shall have the right to operate or maintain Company's electric utility facilities or the Improvements. Customer shall not have physical access to Company's electric utility facilities or the Improvements and shall engage in no activities on or related to Company's electric utility facilities or the Improvements.

8. **Governing Law; Venue.** All provisions of this Contract and the rights and obligations of the parties hereto shall in all cases be governed by and construed in accordance with the laws of the State of Utah applicable to contracts executed in and to be wholly performed in Utah by persons domiciled in the State of Utah. Each party hereto agrees that any suit, action or proceeding in connection with this Contract may only be brought before the Commission, the Federal courts located within the State of Utah, or state courts of the State of Utah, and each party hereby consents to the exclusive jurisdiction of such forums (and of the appellate courts therefrom) in any such suit, action or proceeding.
9. **Assignment.** Company may at any time assign its rights and delegate its obligations under this Contract to any: affiliate; successor in interest; corporation; or any other business entity in conjunction with a merger, consolidation or other business reorganization to which Company is a party.
10. **Remedies; Waiver.** Either party may exercise any or all of its rights and remedies under this Contract, the applicable Electric Service Regulations, the applicable Electric Service Schedule and under any applicable laws, rules and regulations. No provision of this Contract, the Electric Service Regulations, or the applicable Electric Service Schedule shall be deemed to have been waived unless such waiver is expressly stated in writing and signed by the waiving party.
11. **Attorneys' Fees.** If any suit or action arising out of or related to this Contract is brought by any party, the prevailing party or parties shall be entitled to recover the costs and fees (including, without limitation, reasonable attorneys' fees, the fees and costs of experts and consultants, copying, courier and telecommunication costs, and deposition costs and all other costs of discovery) incurred by such party or parties in such suit or action, including, without limitation, any post-trial or appellate proceeding, or in the collection or enforcement of any judgment or award entered or made in such suit or action.
12. **Waiver of Jury Trial.** TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS CONTRACT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.
13. **Entire Agreement.** This Contract contains the entire agreement of the parties with respect to the subject matter, and replaces and supersedes in their entirety all prior agreements between the parties related to the same subject matter. **This Contract may be modified only by a subsequent written amendment or agreement executed by both parties.**



**WEST VALLEY CITY**

By \_\_\_\_\_  
signature

\_\_\_\_\_  
NAME (type or print legibly) TITLE

\_\_\_\_\_  
DATE

Customer's Mailing Address for Executed Contract

Daniel Johnson  
ATTENTION OF

3600 South 2700 West  
ADDRESS

West Valley City, Utah 84119  
CITY, STATE, ZIP

**ROCKY MOUNTAIN POWER**

By \_\_\_\_\_  
signature

Kevin Blakesley Manager  
NAME (type or print legibly) TITLE

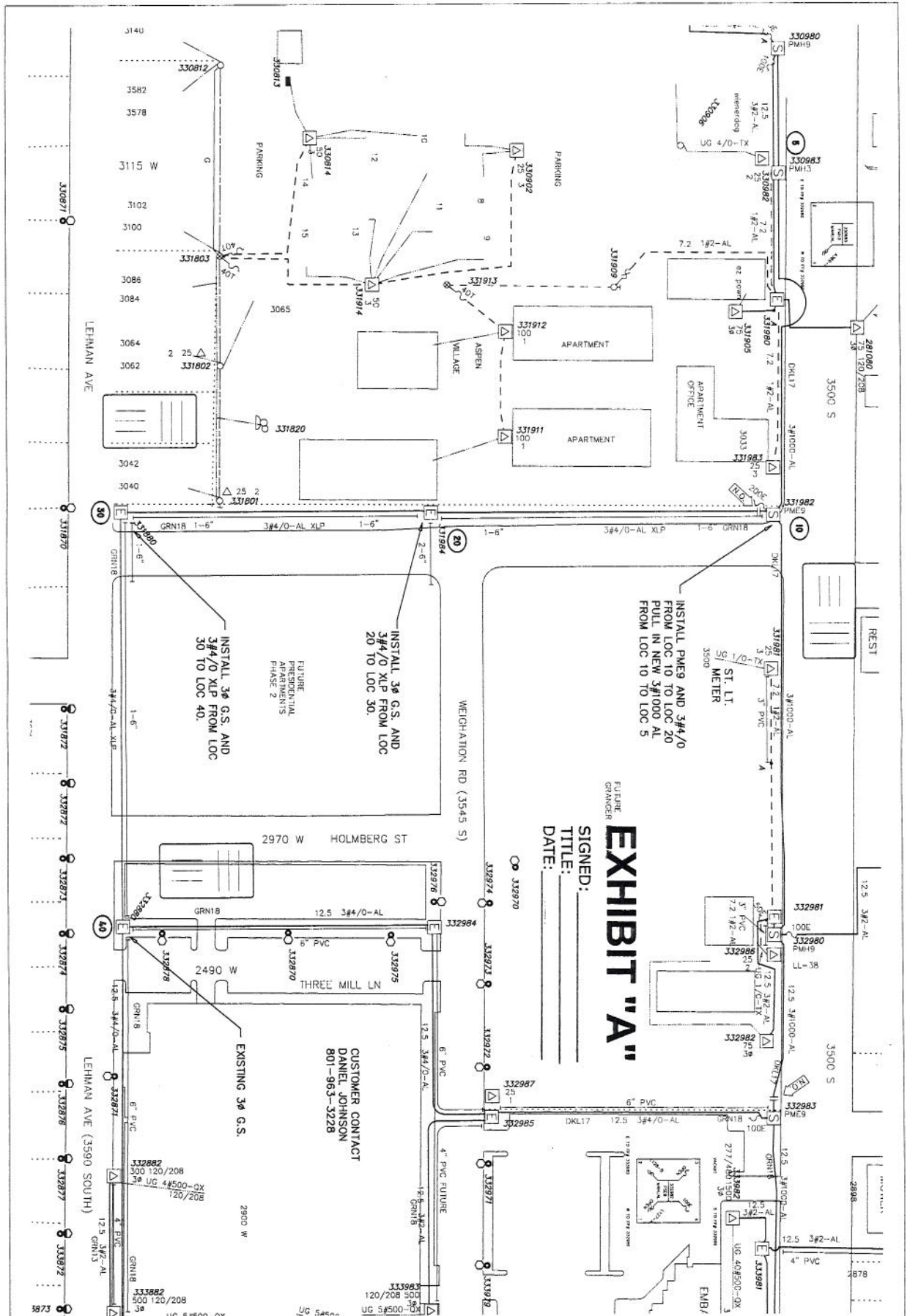
\_\_\_\_\_  
DATE

Rocky Mountain Power's Mailing Address for Executed Contract

1569 West North Temple  
ADDRESS

Salt Lake City, Utah 84116  
CITY, STATE, ZIP


APPROVED AS TO FORM  
West Valley City Attorney's Office  
By: [Signature]  
Date: 7.21.16



# EXHIBIT "A"

SIGNED: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

CUSTOMER CONTACT  
 DANIEL JOHNSON  
 801-963-3228

Foreman		Emp #		Job Start Date		 1 OF 1	
CC#		WO# / REQ#		Map String			
11441		006180653		11301001.0			
CUSTOMER: Fairbourne station backbone ADDRESS: 3033 WEST 3500 SOUTH WVC UTAH B. Jordison				Circuit		Post Jobs <input type="checkbox"/> RQI <input type="checkbox"/> Posted <input type="checkbox"/>	
				GRN18		EST ID# 07715 Print Date 05/09/16 Scale 1"=100'	

**Item:** \_\_\_\_\_  
**Fiscal Impact:** \$230,000  
**Funding Source:** Storm Water Utility  
**Account No:** 36-7532-40750-00000-7599  
**Budget Opening Required:** No

**ISSUE:**

Award Contract for the Meadowlands Detention Basin

**SYNOPSIS:**

Lowest responsible bid was received by Acme Construction, in the amount of \$205,325.

**BACKGROUND:**

Bids were opened for the project on July 19, 2016. A total of eight (8) bids were received. The lowest responsible bidder was Acme Construction.

The Meadowlands Detention Basin (2950 South 5990 West) is a flood control facility used to store peak flows in the city storm drainage network, and is located in the middle of a single family residential neighborhood. In recent years it has become overrun with phragmites, an invasive water reed that spreads and chokes off areas of shallow water. The current configuration of the pond includes a very flat bottom where water spreads out and provides an environment in which phragmites spread and thrive. Efforts have been made to control the phragmites, with little success. This project will reshape and regrade the pond into a configuration in which the phragmites will not be able to thrive. The project will modify the existing outfall structure to enable easier trash removal. The new configuration will include the construction of two pond areas (one at the inlet and one at the outlet) that are approximately three feet deep, with rock basket walls around the perimeter. These ponds will not allow the phragmite to overtake the pond. The channel between the two ponds will be accessible to maintenance crews. The project will construct trails and a bridge over the water channel that will enhance the experience of users in the neighborhood.

The improvements to this detention basin will allow the Public Works Department to properly maintain the facility, and will be an important step in improving this property as an amenity to the neighborhood.

Acme Construction was the lowest responsible bidder. It is recommended that the project be awarded to Acme Construction.

**RECOMMENDATION:**

Award the contract to Acme Construction in the amount of \$205,325, and authorize the Public Works Department to spend no more than \$230,000 on the project through potential change orders.

**SUBMITTED BY:**

Daniel Johnson, City Engineer



**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AWARDING A CONTRACT TO ACME  
CONSTRUCTION FOR THE MEADOWLANDS  
DETENTION BASIN PROJECT.**

**WHEREAS**, bids were solicited from qualified vendors for the Meadowlands Detention Basin improvement; and

**WHEREAS**, Acme Construction (“Acme”) submitted the lowest responsible bid for said work; and

**WHEREAS**, Acme meets all other requirements of the bid specifications; and

**WHEREAS**, the improvements to the Meadowlands Detention Basin will allow the Public Works Department to properly maintain the facility, and will be an important step in improving this property as an amenity to the neighborhood; and

**WHEREAS**, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to award the bid to Acme; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of West Valley City, Utah, as follows:

1. Acme is hereby awarded the contract to perform the Meadowlands Detention Basin improvements.
2. Said contract shall be in an amount not to exceed \$205,325, with authorization to spend an amount not to exceed \$230,000 through potential change orders on the project.
3. The Mayor is hereby authorized to execute a contract with Acme to perform the Meadowlands Detention Basin improvements, subject to the final approval of the contract by the City Manager and the City Attorney’s Office.

**PASSED, APPROVED, and MADE EFFECTIVE** this \_\_\_\_\_ day  
of \_\_\_\_\_, 2016.

**WEST VALLEY CITY**

\_\_\_\_\_  
**MAYOR**

ATTEST:

---

CITY RECORDER

	\$\$\$date\$\$\$	\$\$\$time\$\$\$	\$\$\$file\$\$\$
--	------------------	------------------	------------------

MEADOWLANDS DETENTION BASIN  
IMPROVEMENTS

5990 WEST 2980 SOUTH

## SITE PLAN

PROJECT NUMBER WVC ENG - SWU-205



WEST VALLEY CITY PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION

3600 CONSTITUTION BOULEVARD  
WEST VALLEY CITY, UTAH 84119-3720

## DESIGN

DATE 6/23/2016

PROFESSIONAL ENGINEER

<u>DESIGN</u>	<u>RR</u>	<u>6/23/2016</u>			
<u>CHECK</u>	<u>CW</u>	<u>6/23/2016</u>			
<u>DRAWN</u>	<u>SV</u>	<u>6/23/2016</u>			
<u>CHECK</u>	<u>CW</u>	<u>6/23/2016</u>	<u>REMARKS</u>	<u>DATE</u>	<u>NO.</u> <u>BY</u>



ITEM#: \_\_\_\_\_  
FISCAL IMPACT: \_\_\_\_\_  
FUNDING SOURCE: \_\_\_\_\_  
ACCOUNT #: \_\_\_\_\_  
BUDGET OPENING REQ'D

**ISSUE:**

S-3-2016 –Alieta Acres Subdivision

**SYNOPSIS:**

Applicant: Denali Clark  
Proposal: Final Plat Approval  
Location: 3884 South 6400 West  
Zoning: R-1-8

**BACKGROUND:**

Mr. Denali Clark, is requesting final plat approval for the Alieta Acres Subdivision. The subject property is located at 3884 South 6400 West. The subdivision is bordered on all sides by existing residential development. The property currently has two existing dwellings that will remain and are located on lots 1 and 4. The subdivision will create two new lots of approximately 8,000 and 14,300 square feet. Although zoned R-1-8, the average lot size in the subdivision has been calculated at 11,755 square feet.

Access to the subdivision will be gained from 6400 West and from 6460 West. Portions of 6460 West exist in the Copper Hill Heights No. 6 Subdivision to the north and the Martin Village Subdivision to the south. The development of this property will allow for the completion of this street in its entirety. The developer will install curb, gutter, sidewalk and parkstrip along the new right-of-way. A transition to an integral curb/gutter and sidewalk will happen along the south end of the connection.

City ordinance requires that if the subdivision is adjacent to property zoned agriculture, or in agricultural use, that it be fenced with a 6-foot chain link fence. While property to the south is zoned R-1-8, it appears that it could be used for agricultural purposes. If this is the case, the developer will need to install the fence as outlined in City ordinance.

The subdivision is located on property zoned R-1-8. However, current City ordinances governing housing standards will apply for the new homes on lots 2 and 3.

**RECOMMENDATION:**

The Planning Commission approved this application.

**SUBMITTED BY:**

Steve Lehman  
Current Planning Manager

**S-3-2016**  
**Alieta Acres Subdivision**  
**3884 South 6400 West**  
**R-1-8 Zone**  
**4 Lots**

## **BACKGROUND**

Mr. Denali Clark is requesting preliminary and final plat approval for the Alieta Acres Subdivision. The subject property is located at 3884 South 6400 West. The subdivision is bordered on all sides by existing residential development. The property currently has two existing dwellings that will remain and will be located on lots 1 and 4.

## **STAFF/AGENCY CONCERNS:**

### Fire Department:

Fire hydrant to be located within 250 feet of the future dwelling on the flag lot. All other provisions of the Fire Code shall be met as part of the subdivision approval process.

### Granger Hunter Improvement District:

Project will need to run availability for water, sewer and fire protection.  
Subject to design and review inspections.

### Utility Agencies:

Subject to all standard easement locations.

### Public Works:

Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.

Revisions to plat are required.

Soils report will be required.

Will need to install park strip along 6460 West. A transition will need to be made with the subdivision to the south. Improvements will need to be installed along 6400 West.

**West Valley City Planning Commission**

**March 9, 2016**

**Page 5**

### Building Inspections:

A soils report will be required regarding potential groundwater impacts for new dwellings.

### ISSUES:

The developer is proposing to subdivide the existing parcel into 4 lots. Two existing dwellings are located on what will be lots 1 and 4. A new lot approximately 8,000 square feet and a flag lot approximately 14,300 square feet will allow two new dwellings to be constructed within the subdivision. Although zoned R-1-8, the average lot size has been calculated at 11,755 square feet.

Access to the subdivision will be gained from 6400 West and from 6460 West. The developer will be required to install curb, gutter, sidewalk and asphalt along 6400 West. Portions of 6460 West exist in the Copper Hill Heights No. 6 Subdivision to the north and the Martin Village Subdivision to the south. The development of this property will allow for the completion of this street in its entirety. The developer will install curb, gutter, sidewalk and park strip along the new right-of-way. A transition to an integral curb/gutter and sidewalk will happen along the south end of the connection.

As with all new subdivision development, there is a concern with the potential of ground water impacts. The applicant will need to provide a soils report in accordance with City Ordinances. Any evidence of ground water will require that the lowest floor slab be 3 feet above that elevation.

City ordinance requires that if the subdivision is adjacent to property zoned agriculture, or in agricultural use, that it be fenced with a 6-foot chain link fence. While property to the south is zoned R-1-8, it appears that it could be used for agricultural purposes. If this is the case, the developer will need to install the fence as outlined in City ordinance.

The subdivision is located on property zoned R-1-8. Current City ordinances governing housing standards will apply for the new homes on lots 2 and 3.

### **STAFF ALTERNATIVES:**



1. Approval of the Alieta Acres Subdivision subject to a resolution of those items outlined in the staff report.

West Valley City Planning Commission

March 9, 2016

Page 6

2. Continuation to address issues raised during the public hearing.

**Applicant:**

Denali Clark

4209 Mesquite Way

Cedar Hills, UT 84062

**Discussion:** Chair Meaders asked if the property to the South is zoned Agriculture. Steve Lehman stated if the property is zoned Agriculture, the applicant will be required to install a chain link fence. The City will work with the applicant to determine if a fence is required.

Denali Clark indicated he has owned the property a little over a year. He is working with the building department to remodel two existing homes. He is now seeking approval for new homes that are planned.

Mike Martin owns the property just south of the applicant at 3888 South 6400 West. Mike Martin asked what is going to be done with the area that used to be a drainage basin near the end of his property. Steve Lehman answered that when 6460 makes a connection, the drainage basin will become available for a new, buildable lot. Mike Martin asked if the drainage basin area is big enough for a lot. Steve Lehman acknowledged that the property is in excess of the requirements for the R-1-8 zone.

**Motion:** Commissioner Lovato moved to approve S-3-2016 subject to a resolution of the items outlined in the staff report.

Commissioner Fuller seconded the motion.

**Roll call vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes

**Unanimous – S-3-2016 – Approved**

**S-3-2016** Petition by **DENALI CLARK** requesting **final plat approval** for the Alieta Acres Subdivision. The subdivision will consist of four lots on 1.36 acres. The proposed subdivision is located at 3884 South 6400 West and is zoned R-1-8. (Staff - **Steve Lehman** at 801-963-3311)





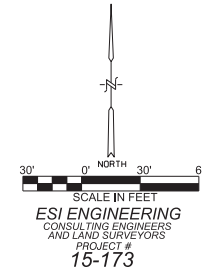
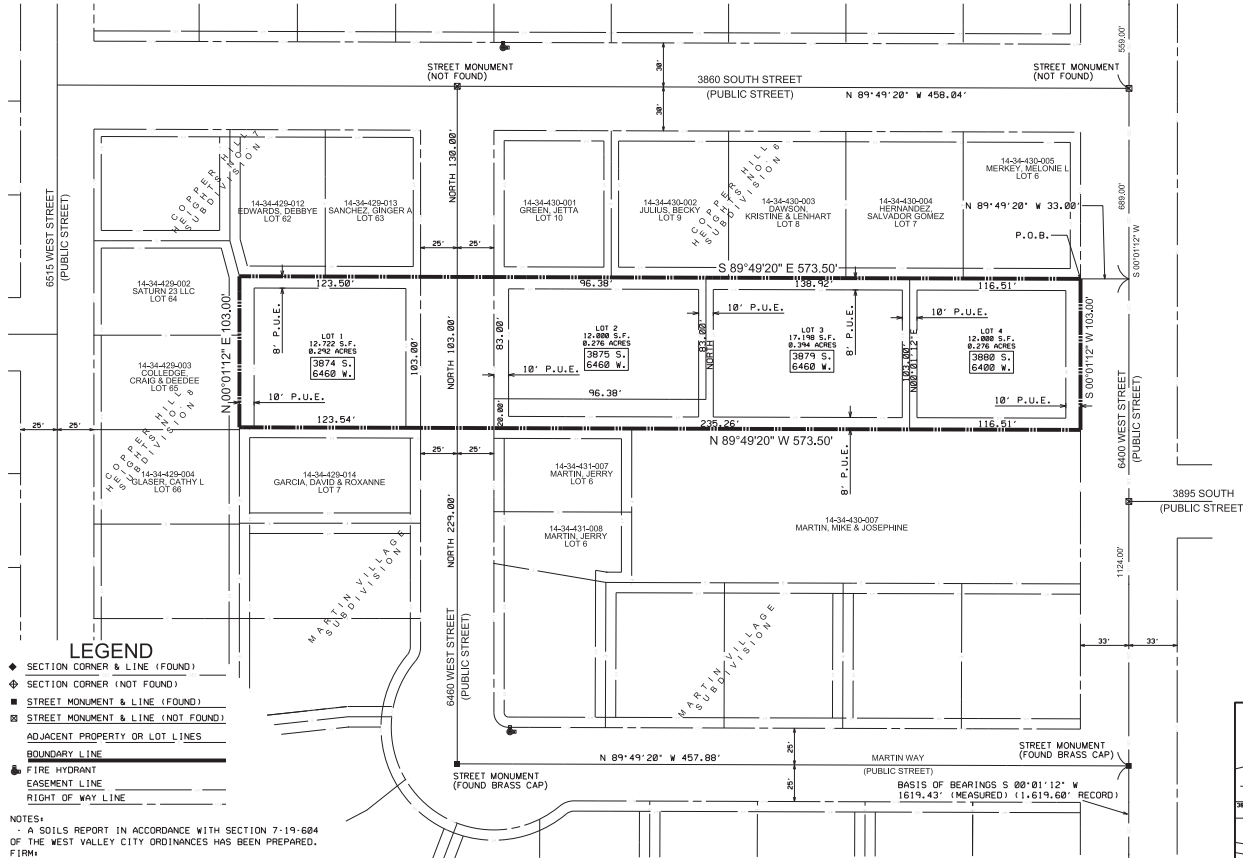
**S-3-2016** Petition by **DENALI CLARK** requesting **final plat approval** for the Alieta Acres Subdivision. The subdivision will consist of four lots on 1.36 acres. The proposed subdivision is located at 3884 South 6400 West and is zoned R-1-8. (Staff - **Steve Lehman** at 801-963-3311)





# ALIETA ACRES SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34;  
TOWNSHIP 1 SOUTH, RANGE 2 WEST;  
SALT LAKE BASE AND MERIDIAN  
WEST VALLEY CITY, UTAH



OWNER: BENTEK, LLC  
CONTACT: DENALI CLARK  
ADDRESS: 4209 W. MESQUITE WAY  
CEDAR HILLS, UT 84062  
PHONE NUMBER: 801-789-3587  
EMAIL: MADACAHOMES@YAHOO.COM

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

YCI CABLE COMPANY

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

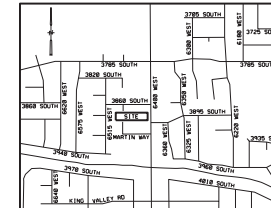
U.S. WEST COMMUNICATIONS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

UTAH POWER & LIGHT

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

QUESTAR GAS



VICINITY MAP  
N.T.S.

## SURVEYOR'S CERTIFICATE

I, BRIAN A. LINAM, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 7248531, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNER(S) I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON/RECORD OF SURVEY ON FILE AT THE SALT LAKE COUNTY SURVEYOR'S OFFICE AS ENTRY NO. 5-2015-001-0012, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREFTER TO BE KNOWN AS ALIETA ACRES SUBDIVISION, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 6400 WEST STREET, SAID POINT BEING 689.00 FEET SOUTH 0°01'12" WEST ALONG THE SECTION LINE AND NORTH 89°49'20" WEST 33.00 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 0°01'12" WEST 103.00 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE NORTH 89°49'20" WEST 573.50 FEET ALONG THE NORTHERLY BOUNDARY LINE EXTENDED AND SAID NORTHERLY BOUNDARY LINE OF THE MARTIN VILLAGE SUBDIVISION, ON FILE AT THE SALT LAKE COUNTY RECORDER'S OFFICE IN BOOK 84 AT PAGE 178, TO THE EASTERLY BOUNDARY LINE OF COPPER HILL HEIGHTS NO. 8, ON FILE AT THE SALT LAKE COUNTY RECORDER'S OFFICE IN BOOK HH AT PAGE 72; THENCE NORTH 0°01'12" EAST 103.00 FEET ALONG SAID EASTERLY BOUNDARY LINE TO A SOUTHWEST CORNER OF LOT 62 OF COPPER HILL HEIGHTS NO. 7, ON FILE AT THE SALT LAKE COUNTY RECORDER'S OFFICE IN BOOK HH AT PAGE 58; THENCE SOUTH 89°49'20" EAST 573.50 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID COPPER HILL HEIGHTS NO. 7 AND COPPER HILL HEIGHTS NO. 6, ON FILE AT THE SALT LAKE COUNTY RECORDER'S OFFICE IN BOOK GG AT PAGE 81 TO THE POINT OF BEGINNING.

CONTAINS 59,070 S.F. OR 1.356 ACRES, MORE OR LESS  
4 LOTS

## OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSED THE SAME TO BE DIVIDED INTO LOTS, PARCELS AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS:

## ALIETA ACRES SUBDIVISION

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON. IN WITNESS WE / I HAVE HEREUNTO SET OUR HANDS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

## ACKNOWLEDGEMENT

STATE OF UTAH }  
COUNTY OF DAVIS } S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, BY \_\_\_\_\_.

MY COMMISSION EXPIRES: \_\_\_\_\_ COMMISSION NUMBER: \_\_\_\_\_

NOTARY PUBLIC (PRINT NAME) \_\_\_\_\_ NOTARY PUBLIC (SIGNATURE) \_\_\_\_\_

A NOTARY PUBLIC COMMISSIONED IN UTAH

NOTES:  
- A SOILS REPORT IN ACCORDANCE WITH SECTION 7-19-604 OF THE WEST VALLEY CITY ORDINANCES HAS BEEN PREPARED.  
FIRM:  
REPORT NO.:  
DATE:  
- EROSION CONTROL MUST BE PRACTICED DURING ALL PHASES OF CONSTRUCTION.  
- OFF-SET PINS TO BE PLACED IN BACK OF CURB AND 5/8" X 18" REBAR WITH NUMBERED SURVEY CAP TO BE PLACED AT ALL REAR CORNER PRIOR TO ANY OCCUPANCY.  
- BUILDING PERMITS WILL NOT BE ISSUED FOR ANY STRUCTURE UNTIL 1) ASPHALT PAVING IS INSTALLED; AND 2) FIRE HYDRANTS ARE INSTALLED, APPROVED & CHARGED.

PLANNING COMMISSION	BOARD OF HEALTH	IMPROVEMENT DISTRICT	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CITY COUNCIL	RECORDED
APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE WEST VALLEY CITY PLANNING COMMISSION.  CHAIRMAN WEST VALLEY CITY PLANNING COMM	ON THIS _____ DAY OF _____ A.D. 20____  DIRECTOR, S. L. CO. BOARD OF HEALTH	ON THIS _____ DAY OF _____ A.D. 20____  DIRECTOR, GRANGER-HUNTER IMPROVEMENT DISTRICT	I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  DATE _____ WEST VALLEY CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____  WEST VALLEY CITY ATTORNEY	PRESENTED TO THE WEST VALLEY CITY COUNCIL ON THIS _____ DAY OF _____ A.D. 20____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.  MAYOR: _____ CITY RECORDER ATTEST: _____	ENTRY NO. _____ FEE PAID _____ FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____ A.D. 2015 IN BOOK _____ AT PAGE _____ SALT LAKE COUNTY RECORDER  BY: _____ DEPUTY

ITEM#: \_\_\_\_\_  
FISCAL IMPACT: \_\_\_\_\_  
FUNDING SOURCE: \_\_\_\_\_  
ACCOUNT #: \_\_\_\_\_  
BUDGET OPENING REQ'D

**ISSUE:**

S-16-2016 – ARA Industrial Center Subdivision – Phase 2

**SYNOPSIS:**

Applicant: Natomas Meadows LLC  
Proposal: Final Plat Approval  
Location: 6935 West SR-201 Frontage Road  
Lots: 1  
Acres: 24

**BACKGROUND:**

Corbin Bennion representing Natomas Meadows LLC, is requesting final plat approval for the 2<sup>nd</sup> phase of the ARA Industrial Center Subdivision. The subject property is located immediately to the west of phase 1, south of the SR-201 frontage road, and north of the Riter Canal. This phase of the project is also located to the east of the Beagley Estates and East Magna Plat A Subdivisions.

The subdivision will create lot 201 of the ARA Industrial Center. The primary access to the subdivision will be gained from the SR-201 frontage road. There is also a reciprocal access between this phase and phase 1 to the east. At a future point in time, it is anticipated that 2540 South will extend westward out to 7200 South. However, the exact alignment of this road, nor the design of said road, is complete at this time. A separate application will be submitted to dedicate the extension of the future road. Prior to that application, the City will hold an open house with the residential communities to the west once the design work is complete.

Prior to the construction of phase 1, the City installed curb and gutter along the south side of the SR-201 frontage road. In addition to these improvements, the overhead power lines were placed under ground in a 10-foot public utility easement. The developer will be responsible for landscaping and site improvements which have been reviewed as part of the conditional use process.

In summary, the subdivision plat creates the lot, dedicates a small portion of property along SR-201 frontage road and establishes various easements both of record and new.

**RECOMMENDATION:**

The Planning Commission approved this application.

**SUBMITTED BY:**

Steve Lehman  
Current Planning Manager

**S-16-2016**  
**ARA Industrial Center Subdivision – Phase 2**  
**6975 West SR-201 Frontage Road**  
**M Zone**  
**1 Lot**  
**22 Acres**

**BACKGROUND:**

Corbin Bennion representing Natomas Meadows LLC, is requesting minor subdivision approval for the 2<sup>nd</sup> phase of the ARA Industrial Center Subdivision. The subject property is located immediately to the west of phase 1, south of the SR-201 frontage road, and north of the Riter Canal. This phase of the project is also located to the east of the Beagley Estates and East Magna Plat A Subdivisions.

**ISSUES:**

The subdivision will create lot 201 of the ARA Industrial Center. The primary access to the subdivision will be gained from the SR-201 frontage road. There is also a reciprocal access between this phase and phase 1 to the east. These points of access are generally located at the north and south ends of the property.

The subdivision plat also contains a 66-foot water and sewer easement along the southern boundary of lot 201. It is anticipated that this easement will eventually be located within a planned extension of 2540 South. However, the exact alignment of this road, nor the design of said road, is complete at this point in time. A separate application will be submitted to dedicate the extension of 2540 South. The City is planning to hold an open house with the residential communities to the west once the design work is complete. Said open house will be conducted prior to the Planning Commission meeting wherein the dedication will take place.

Prior to the construction of phase 1, the City installed curb and gutter along the south side of the SR-201 frontage road. In addition to these improvements, the overhead power lines were placed under ground in a 10-foot public utility easement. The developer will be responsible for landscaping and site improvements which have been reviewed as part of the conditional use process.

In summary, the subdivision plat creates the lot, dedicates a small portion of property along SR-201 frontage road and establishes various easements both of record and new.

**STAFF ALTERNATIVES:**

1. Approve the second phase of the ARA Industrial Center Subdivision subject to a resolution of staff and agency comments.
2. Continue the application in order for the developer to address the Planning Commissions concerns.

**Applicant:**

Corbin Bennion  
5684 South Green Street  
Murray, UT

**Discussion:** Corbin Bennion said the buildings being constructed were approved in 2014 under a conditional use permit. Commissioner Matheson asked if the new building will be another large warehouse similar to the one next door. Corbin Bennion answered, yes, it will be called Building A and will be approximately 500,000 sqft. Commissioner Matheson asked if there is an access road to the Riter Canal. Corbin Bennion answered that there is enough room to maintain the canal.

Tara Goodfellow, 2564 South 7025 West, said the notice she received in the mail said all written complaints must be in to the City by June 30, and her notice was postmarked June 29<sup>th</sup>. She said she would appreciate it if the City gave her more than one day notice. She said the map she received does not show the frontage road that is being requested right in front of her property. Steve Lehman replied that a road will be constructed on the north side of the Riter Canal, but it has yet to be designed and we are not sure what the alignment will be. At the time the road dedication plat is submitted to the City, there will be a separate notice mailed to residents. To help facilitate information regarding the dedication plat, the City will have a meeting with the residents indicating what the proposal for the road will be. Steve Lehman said the notice that was sent was for the subdivision application, not the future road. This application is just to establish this lot for the building. Clover Meaders said there will be another neighborhood meeting with residents later on and another Planning Commission public hearing before the road is dedicated.

Tara Goodfellow said she moved in to her home in 2010. The original developer of her home told her there was going to be a pathway along the Riter Canal. She wants to know if those plans have changed. She has small children and selected her home because it is closed off from 7200 West where traffic gets up to 50 mph.



If there is going to be a thru street, she would like to see speed bumps, 4 way stops, and stop signs, to maintain a safe environment to raise her kids and allow them play. Steve Lehman said questions regarding the road, alignment, and projected traffic will be addressed at a future meeting. Steve Lehman said, in regards to the trail on the north side of the Riter canal, it part of the cross town trail system, and to his understanding the trail will still be constructed at a later date.

Tara Goodfellow said she is less than a block away from the frontage road and Parkway Blvd. Is there a reason to put a through street there? Steve Lehman commented that the planned street will be a mechanism to maneuver vehicles from the industrial park. The proximity of the frontage road in relation to Hwy 201 is a short distance. With additional vehicular movement, that intersection would become more problematic unless a new street was installed along the north side of the Riter Canal.

Tara Goodfellow said the Riter Canal is a mosquito trap. Is the City looking at covering it? Steve Lehman said that is something that can be addressed with the Mosquito Abatement District.

Tara Goodfellow feels the trucks from the surrounding facilities seem to be able to maneuver just fine along the frontage road. She does not see the need for an additional road to support the trucks, especially in a residential area. It is her understanding that semi-trucks are not allowed to drive on residential streets. Steve Lehman said these issues will be deferred to a later time when we have an alignment and design of the right of way.

Shaunda York, 7058 West Beagley Lane, said her neighbors received a notice from the City in the mail, but she did not. She purchased her home last year and did not know there would be a road installed across the street. She asked, if a road is built there, if semi-trucks will be allowed access. Steve Lehman said truck traffic will be consistent with that of an industrial park, but not knowing what the alignment and road design will be, it is difficult to answer that question. Steve responded that the City notices residents within 300 feet of the subdivision application. It depends on where that line fits as to whether she would receive a notice. When we have an application that is ready to present to the residents and Planning Commission for the road, the notice will be extended to all properties. Commissioner Meaders stated that the application tonight is just for the subdivision.

Shaunda York said there are several young children living on this dead end road which is currently safe for children. She asked Planning Commissioners if they would allow their small children on a road where a semi-truck could come through and possibly run them over.

Commissioner Meaders asked Planning Commissioners if they have any concerns about just the subdivision application, knowing that the road will be addressed in the future.

**Motion:** Commissioner Matheson moved to approve S-16-2016, the second phase of the ARA Subdivision, subject to the staff and agency concerns.

Commissioner Tupou seconded the motion.

**Roll call vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes
Commissioner Winters	Yes
Commissioner Woodruff	Yes

**Unanimous – S-16-2016 – Approved**

**S-16-2016 CORBIN BENNION**, representing Natomas Madows, LLC, is requesting **final plat approval** for the ARA Industrial Center Phase 2 Subdivision. The subdivision is located at 6751 West U-201 Hwy. and consists of 1 lot on 23.6 acres and is zoned M. (Staff - **Steve Lehman** at 801-963-3311)

2100 S

U-201 Hwy.

7200 WEST

Parkway Blvd.  
(2700 S)





**S-16-2016 CORBIN BENNION**, representing Natomas Madows, LLC, is requesting **final plat approval** for the ARA Industrial Center Phase 2 Subdivision. The subdivision is located at 6751 West U-201 Hwy. and consists of 1 lot on 23.6 acres and is zoned M. (Staff - **Steve Lehman** at 801-963-3311)









Item #:	
Fiscal Impact:	\$1,125.00
Funding Source:	Storm Water Utility
Account #:	36-7532-40750-75171-0000
Budget Opening Required:	No

**ISSUE:**

Approval and acceptance of a Grant of Temporary Construction Easement from Metals Manufacturing Company, a Utah corporation.

**SYNOPSIS:**

Metals Manufacturing Company, a Utah corporation has signed a Grant of Temporary Construction Easement across its property located at 2395 South 2570 West (15-21-258-003).

**BACKGROUND:**

The Metals Manufacturing Company property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. The Grant of Temporary Construction Easement along the southerly 25 feet of Grantor's property will allow for the regrading of an existing drainage ditch which currently flows to the east, to now flow to the west and into a new storm drain line in 2570 West. The Grant of Temporary Construction Easement will run for a period of six months from the commencement of construction. Compensation for the Grant of Temporary Construction Easement is \$1,125.00 based upon a Compensation Estimate prepared by City staff.

**RECOMMENDATION:**

Approve and accept Grant of Temporary Construction Easement. Authorize the City Recorder to record said Grant of Temporary Construction Easement for and in behalf of West Valley City.

**SUBMITTED BY:**

Steven J. Dale, P.L.S., Right-of-way and Survey Section Manager

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM METALS MANUFACTURING COMPANY, FOR PROPERTY LOCATED AT 2395 SOUTH 2570 WEST (PARCEL 15-21-258-003).**

**WHEREAS**, Metals Manufacturing Company, (herein “Metals Mfg.”) owns property located at 2395 South 2570 West (herein “the Property”); and

**WHEREAS**, the Property is affected and benefitted by the construction of the Pole Line Drive Storm Drain Project (herein “Project”); and

**WHEREAS**, Metals Mfg. has executed a Grant of Temporary Construction Easement to facilitate construction of the Project; and

**WHEREAS**, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to accept said Grant of Temporary Construction Easement;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of West Valley City, Utah, that the Mayor is authorized to accept said Grant of Temporary Construction Easement and the City Recorder is authorized to record said Easement for and on behalf of West Valley City upon final approval of the City Manager and City Attorney’s Office.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**WEST VALLEY CITY**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY RECORDER**

WHEN RECORDED RETURN TO:

West Valley City Recorder  
3600 South Constitution Blvd.  
West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL ID NO: **15-21-258-003**

**WEST VALLEY CITY  
GRANT OF TEMPORARY CONSTRUCTION EASEMENT**

For valuable consideration, receipt whereof is hereby acknowledged, **Metals Manufacturing Company, a Utah corporation**, GRANTOR, hereby grants and conveys to WEST VALLEY CITY, a Municipal Corporation, of the State of Utah, 3600 S. Constitution Blvd., West Valley City, Utah 84119, GRANTEE, its successors and assigns, a temporary construction easement on, over, across and through GRANTOR'S land located at **2395 South 2570 West**, for construction and replacement of improvements, said easement being described as follows:

A tract of land located in the Northeast Quarter of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian, being more particularly described as follows:

Beginning at the southwest corner of Grantor's property and on the east line of 2570 West Street, (Pole Line Industrial Park), said point being South 00°05'10" East 84.55 feet along the quarter section line and South 89°53'21" East 744.784 feet from the Center of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian; and running thence South 89°53'21" East 393.039 feet to the southeast corner of Grantor's property; thence North 05°51'22" East 25.13 feet along the easterly boundary of Grantor's property and the westerly line of Interstate I - 215; thence North 89°53'21" West 392.33 feet to the east line of 2570 West Street; thence along said east line and along a non-tangent curve to the left having a radius of 12,915.73 feet (chord bears South 07°27'34" West 25.21 feet) for an arc distance of 25.21 feet to the Point of Beginning. Encompassing 9,819 square feet.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.

This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for six (6) months, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities.



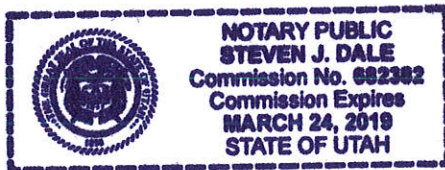
WITNESSED the hand of said GRANTOR this 27 day of July 2016,  
2016.

GRANTOR  
Metals Manufacturing Company

Stanley Tschaggel  
By: Stanley Tschaggel  
Title: Sec Treas

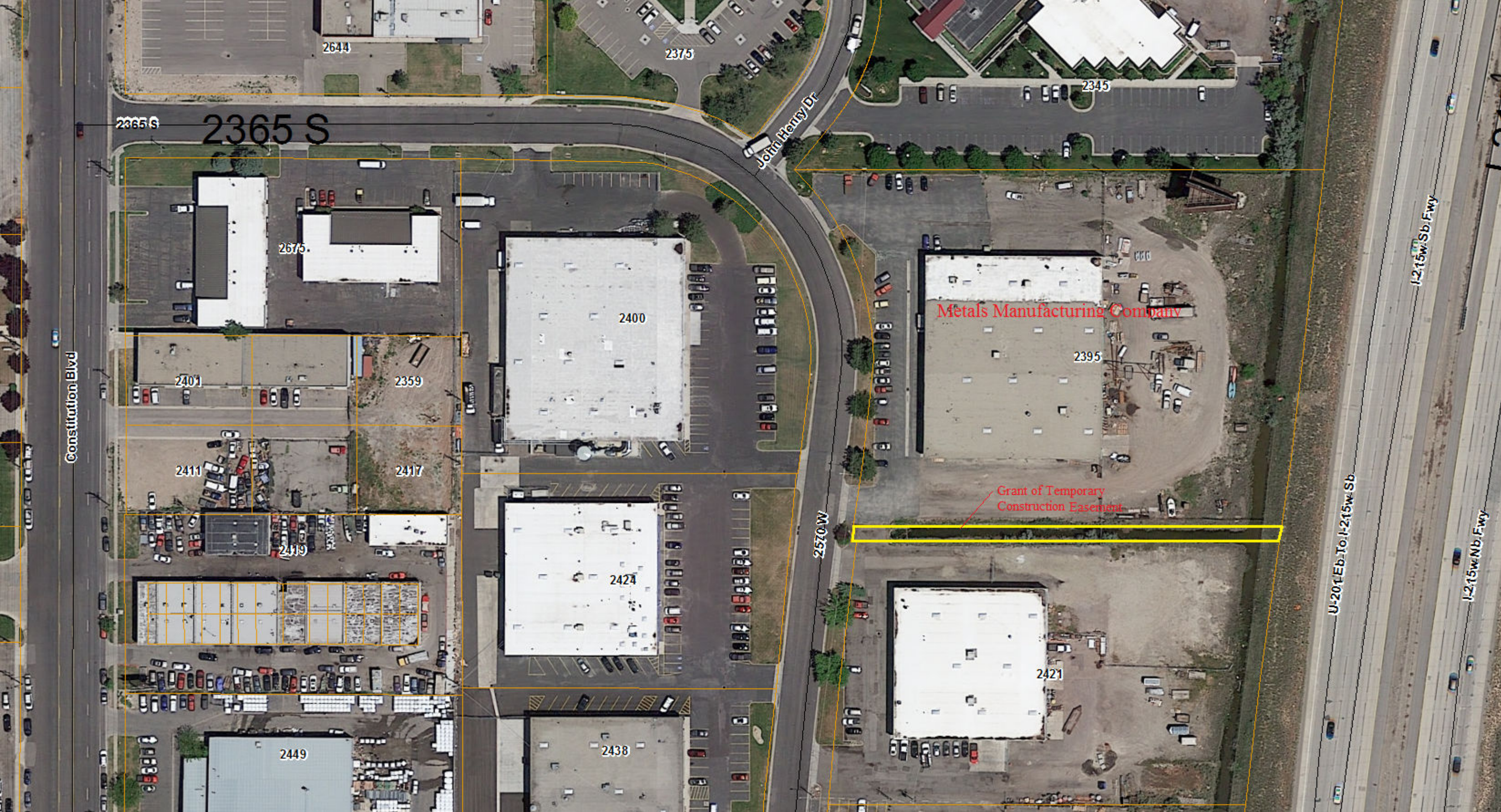
State of Utah                                 )  
  :SS  
County of Salt Lake                         )

On this 27<sup>th</sup> day of JULY, 2016, personally appeared  
before me STANLEY TSCHAGGEL, whose identity is personally  
known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he is the  
SECRETARY TREASURER of **Metals Manufacturing Company, a Utah**  
**corporation**, and said document was signed by him in behalf of said corporation by authority of  
its bylaws or of a Resolution of its Board of Directors, and he acknowledged to me that said  
corporation executed the same.



Steven J. Dale  
Notary Public





Constitution Blvd

2365 S

John Henry Dr

2570 W

I-215 W Sb Fwy

I-215 W Nb Fwy

U-201 Eb To I-215 W Sb

2644

2375

2345

2365 S

2675

2400

Metals Manufacturing Company

2395

2401

2359

2417

2411

2419

2424

2421

2438

2449

Grant of Temporary Construction Easement



Item #:	
Fiscal Impact:	\$300.00
Funding Source:	Storm Water Utility
Account #:	36-7532-40750-75171-0000
Budget Opening Required:	No

**ISSUE:**

Approval and acceptance of a Grant of Temporary Construction Easement from KH Mountain Investment, LLC, a Utah limited liability company.

**SYNOPSIS:**

KH Mountain Investment, LLC, a Utah limited liability company has signed a Grant of Temporary Construction Easement across its property located at 2339 S. Constitution Boulevard (15-21-254-009).

**BACKGROUND:**

The KH Mountain Investment, LLC, a Utah limited liability company property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. The Grant of Temporary Construction Easement along the Easterly 10 feet of Grantor's property will allow for the installation of 42" RCP storm drain piping along the rear of Grantor's property. The Grant of Temporary Construction Easement will run for a period of six months from the commencement of construction. Compensation for the Grant of Temporary Construction Easement is \$300.00 based upon a Compensation Estimate prepared by City staff.

**RECOMMENDATION:**

Approve and accept Grant of Temporary Construction Easement. Authorize the City Recorder to record said Grant of Temporary Construction Easement for and in behalf of West Valley City.

**SUBMITTED BY:**

Steven J. Dale, P.L.S., Right-of-way and Survey Section Manager

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO ACCEPT A  
GRANT OF TEMPORARY CONSTRUCTION EASEMENT  
FROM KH MOUNTAIN INVESTMENT, LLC, FOR  
PROPERTY LOCATED AT 2339 SOUTH CONSTITUTION  
BOULEVARD (PARCEL 15-21-254-009).**

**WHEREAS**, KH Mountain Investment, LLC, (herein “KH Mountain”) owns property located at 2339 South Constitution Boulevard (herein “the Property”); and

**WHEREAS**, the Property is affected and benefitted by the construction of the Pole Line Drive Storm Drain Project (herein “Project”); and

**WHEREAS**, KH Mountain has executed a Grant of Temporary Construction Easement to facilitate construction of the Project; and

**WHEREAS**, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to accept said Grant of Temporary Construction Easement;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of West Valley City, Utah, that the Mayor is authorized to accept said Grant of Temporary Construction Easement and the City Recorder is authorized to record said Easement for and on behalf of West Valley City upon final approval of the City Manager and City Attorney’s Office.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**WEST VALLEY CITY**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY RECORDER**



WHEN RECORDED RETURN TO:

West Valley City Recorder  
3600 South Constitution Blvd.  
West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL ID NO: **15-21-254-009**

**WEST VALLEY CITY  
GRANT OF TEMPORARY CONSTRUCTION EASEMENT**

For valuable consideration, receipt whereof is hereby acknowledged, **KH Mountain Investment, L.L.C., a Utah limited liability company**, GRANTOR, hereby grants and conveys to WEST VALLEY CITY, a Municipal Corporation, of the State of Utah, 3600 South Constitution Blvd., West Valley City, Utah 84119, GRANTEE, its successors and assigns, a temporary construction easement on, over, across and through GRANTOR'S land located at **2339 S. Constitution Boulevard**, for construction and replacement of improvements, said easement being described as follows:

A tract of land located in the Northeast Quarter of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian, being more particularly described as follows:

Beginning at the southeast corner of Grantor's property, said point being North 00°15'10" West 452.228 feet along the quarter section line and South 89°53'38" East 452.12 feet from the Center of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian; and running thence North 89°53'38" West 10.00 feet; thence North 00°05'10" West 216.652 feet; thence South 89°53'38" East 10.00 feet to the northeast corner of Grantor's property; thence South 00°05'10" East 216.652 feet to the Point of Beginning. Encompassing 2,167 square feet.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.

This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for six (6) months, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities.

WITNESSED the hand of said GRANTOR this 28<sup>TH</sup> day of JULY,  
2016.

GRANTOR

**KH Mountain Investment, L.L.C.,**  
a Utah limited liability company

  
\_\_\_\_\_  
**Jason Hilton, Managing Member**

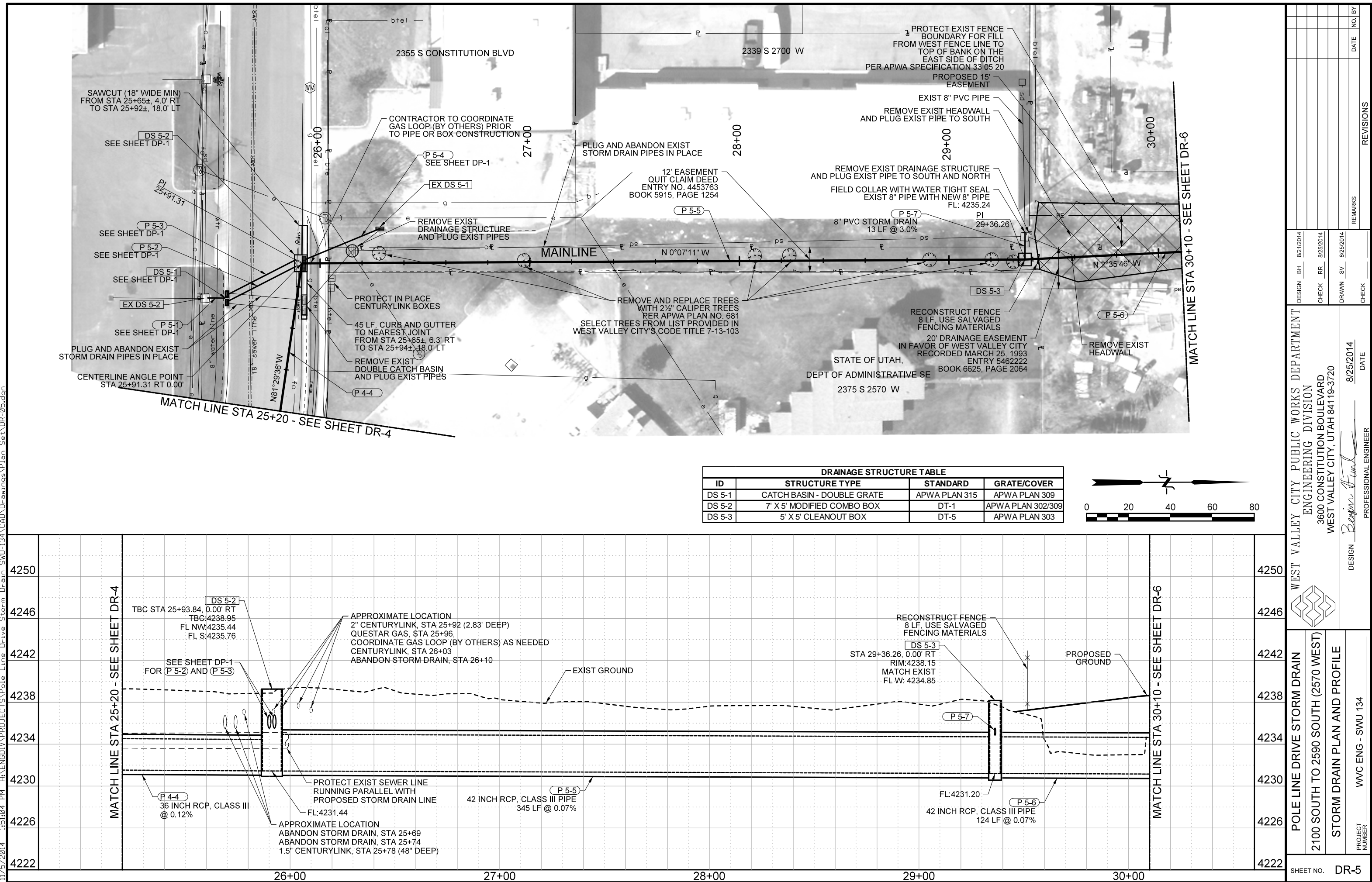
State of Utah                     )  
  :SS  
County of Salt Lake            )

On this 28<sup>TH</sup> day of JULY, 2016, personally appeared before me  
**Jason Hilton**, whose identity is personally known to me or proved to me on the basis of  
satisfactory evidence, and who affirmed that he is the **Managing Member** of **KH Mountain**  
**Investment, L.L.C., a Utah limited liability company**, by authority of its members or its articles  
of organization, and he acknowledged to me that said limited liability company executed the same.

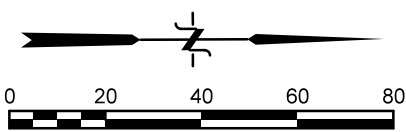


  
\_\_\_\_\_  
Notary Public

11/5/2014 1:51:04 PM H:\ENGIN\PROJECTS\Pale Line Drive Storm Drain SWU-134\CAD\Drawings\Plan Set\DR-05.dgn



DRAINAGE STRUCTURE TABLE			
ID	STRUCTURE TYPE	STANDARD	GRATE/COVER
DS 5-1	CATCH BASIN - DOUBLE GRATE	APWA PLAN 315	APWA PLAN 309
DS 5-2	7' X 5' MODIFIED COMBO BOX	DT-1	APWA PLAN 302/309
DS 5-3	5' X 5' CLEANOUT BOX	DT-5	APWA PLAN 303



WEST VALLEY CITY PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION 3600 CONSTITUTION BOULEVARD WEST VALLEY CITY, UTAH 84119-3720		DESIGN BH 8/21/2014 CHECK RR 8/25/2014 DRAWN SV 8/25/2014 CHECK	REVISIONS NO. BY DATE
POLE LINE DRIVE STORM DRAIN 2100 SOUTH TO 2590 SOUTH (2570 WEST) STORM DRAIN PLAN AND PROFILE		DESIGN <i>Benjamin</i> 8/25/2014 DATE PROFESSIONAL ENGINEER	REMARKS
PROJECT NUMBER WVC ENG - SWU 134		SHEET NO. DR-5	



2310

Constitution Blvd

2249

2333

KH Mountain  
Investment, LLC

2339

2345

2644

2365 S

2675

2400

Grant of Temporary  
Construction

Item #:	
Fiscal Impact:	\$2,125.00
Funding Source:	Storm Water Utility
Account #:	36-7532-40750-75171-0000
Budget Opening Required:	No

**ISSUE:**

Approval and acceptance of a Grant of Temporary Construction Easement from Jeralynn T. Winder.

**SYNOPSIS:**

Jeralynn T. Winder has signed a Grant of Temporary Construction Easement across her property located at 2585 South 2570 West (15-21-452-006).

**BACKGROUND:**

The Jeralynn T. Winder the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. The Grant of Temporary Construction Easement along the Northerly 40 feet and the Easterly 30 feet of Grantor's property will allow for the existing storm water ditch to be piped with 18" RCP storm drain piping. The Grant of Temporary Construction Easement will run for a period of six months from the commencement of construction. Compensation for the Grant of Temporary Construction Easement is \$2,125.00 based upon a Compensation Estimate prepared by City staff.

**RECOMMENDATION:**

Approve and accept Grant of Temporary Construction Easement. Authorize the City Recorder to record said Grant of Temporary Construction Easement for and in behalf of West Valley City.

**SUBMITTED BY:**

Steven J. Dale, P.L.S., Right-of-way and Survey Section Manager

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO ACCEPT  
A GRANT OF TEMPORARY CONSTRUCTION  
EASEMENT FROM JERALYNN T. WINDER, FOR  
PROPERTY LOCATED AT 2585 SOUTH 2570 WEST  
(PARCEL 15-21-452-006).**

**WHEREAS**, Jeralynn T Winder, (herein “Winder”) owns property located at 2585 South 2570 West (herein “the Property”); and

**WHEREAS**, the Property is affected and benefitted by the construction of the Pole Line Drive Storm Drain Project (herein “Project”); and

**WHEREAS**, Winder has executed a Grant of Temporary Construction Easement to facilitate construction of the Project; and

**WHEREAS**, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to accept said Grant of Temporary Construction Easement;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of West Valley City, Utah, that the Mayor is authorized to accept said Grant of Temporary Construction Easement and the City Recorder is authorized to record said Easement for and on behalf of West Valley City upon final approval of the City Manager and City Attorney’s Office.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER



WHEN RECORDED RETURN TO:

West Valley City Recorder  
3600 South Constitution Blvd.  
West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL ID NO: **15-21-452-006**

**WEST VALLEY CITY  
GRANT OF TEMPORARY CONSTRUCTION EASEMENT**

For valuable consideration, receipt whereof is hereby acknowledged, **Jeralynn T. Winder**, GRANTOR, hereby grants and conveys to WEST VALLEY CITY, a Municipal Corporation, of the State of Utah, 3600 S. Constitution Blvd., West Valley City, Utah 84119, GRANTEE, its successors and assigns, a temporary construction easement on, over, across and through GRANTOR'S land located at **2585 South 2570 West**, for construction and replacement of improvements, said easement being described as follows:

A tract of land located in the Northeast Quarter of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian, being more particularly described as follows:

Beginning at a point on the Easterly right of way of Pole Line Industrial Park Road (2570 West Street), said point being North 0°05'10" West along the Section line 1133.11 feet and South 89°57'11" East 660.34 feet and North 01°05'28" East 443.88 feet from the South Quarter corner of Section 21, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°53'21" East 369.50 feet along the northerly boundary of Grantor's property to the westerly right of way line of Utah State Project I-215-9; thence southerly 130.492 feet along said westerly right of way line and arc of a 11,609.16 foot radius curve to the left. (Long chord bears South 02°49'00" West 130.491 feet); thence South 1°38'50" East along said westerly right of way line 32.00 feet; thence South 88°21'10" West 30.00 feet; thence North 1°38'50" West 32.50 feet; thence North 02°49'00" East 90.49 feet; thence North 89°53'21" West 313.30 feet; thence South 01°05'28" West 10.02 feet; thence North 88°54'32" West 25.00 feet to the easterly right-of-way line of 2570 West; thence North 01°05'28" East 50.00 feet along said easterly right-of-way line to the Point of Beginning. Encompassing 18,801 square feet.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.

This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for six (6) months, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities.

WITNESSED the hand of said GRANTOR this 1<sup>ST</sup> day of AUGUST, 2016.

GRANTOR

Jeralynn T Winder  
Jeralynn T. Winder

State of UTAH )  
County of SALT LAKE ) :ss

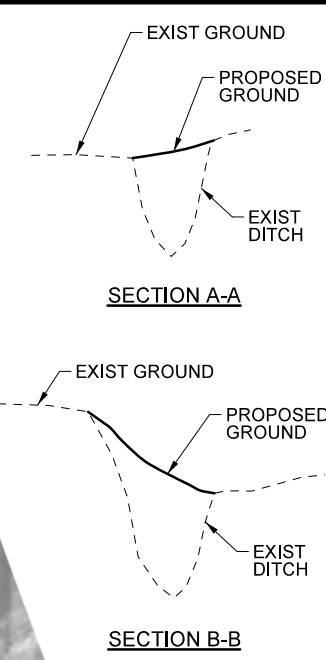
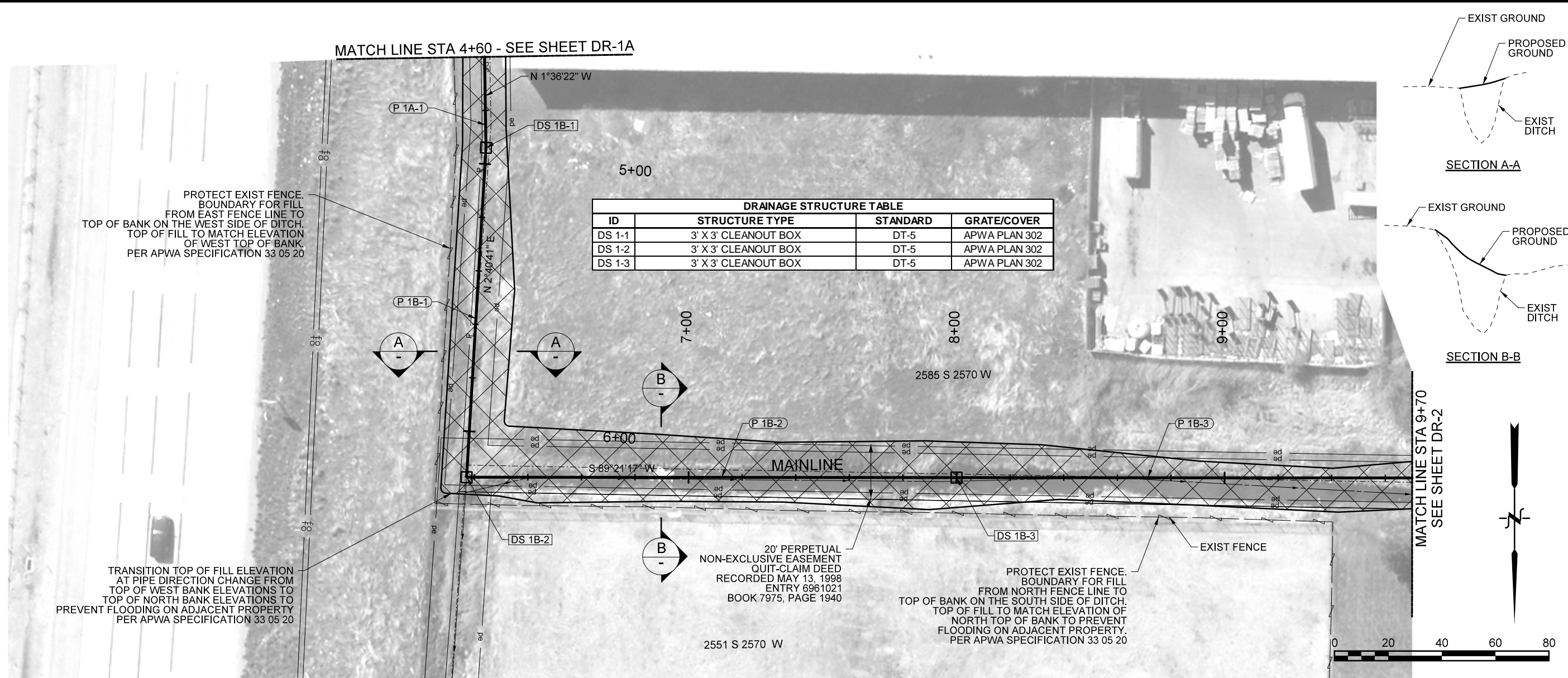
On this 1<sup>ST</sup> day of AUGUST, 2016, personally appeared before me **Jeralynn T. Winder**, whose identity is personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that she executed the same.



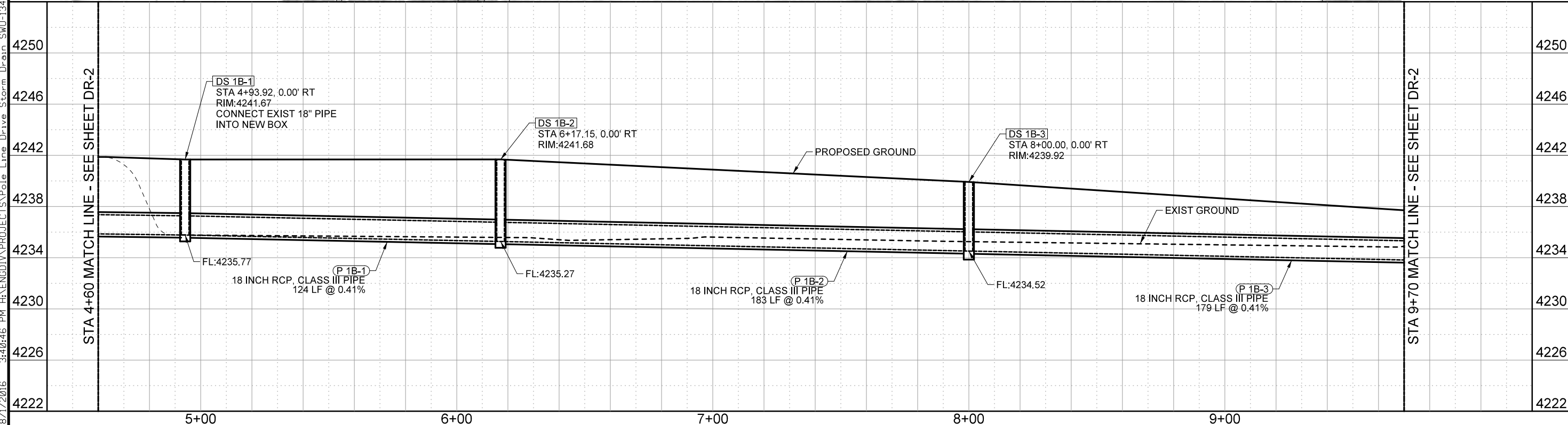
Steven J. Dale  
Notary Public







DRAINAGE STRUCTURE TABLE			
ID	STRUCTURE TYPE	STANDARD	GRATE/COVER
DS 1-1	3' X 3' CLEANOUT BOX	DT-5	APWA PLAN 302
DS 1-2	3' X 3' CLEANOUT BOX	DT-5	APWA PLAN 302
DS 1-3	3' X 3' CLEANOUT BOX	DT-5	APWA PLAN 302



SHEET NO. DR-1B		<div>  <div> <div>WEST VALLEY CITY PUBLIC WORKS DEPARTMENT</div> <div>ENGINEERING DIVISION</div> <div>3600 CONSTITUTION BOULEVARD</div> <div>WEST VALLEY CITY, UTAH 84119-3720</div> </div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>	
POLE LINE DRIVE STORM DRAIN		<div> <div>PROJECT NUMBER</div> <div>WVC ENG - SWU 134</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>	
2100 SOUTH TO 2590 SOUTH (2570 WEST)				<div> <div>DESIGN</div> <div>DATE</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>	
STORM DRAIN PLAN AND PROFILE				<div> <div>DESIGN</div> <div>DATE</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>		<div> <div>DESIGN</div> <div>DATE</div> </div>	
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Item #:	
Fiscal Impact:	\$900.00
Funding Source:	Storm Water Utility
Account #:	36-7532-40750-75171-0000
Budget Opening Required:	No

**ISSUE:**

Approval and acceptance of a Grant of Temporary Construction Easement from FR Investment, LLC, a Utah limited liability company.

**SYNOPSIS:**

FR Investment, LLC, a Utah limited liability company has signed a Grant of Temporary Construction Easement across its property located at 2421 South 2570 West (15-21-403-002).

**BACKGROUND:**

The FR Investment, LLC property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. The Grant of Temporary Construction Easement along the Northerly 20 feet of Grantor's property will allow for the regrading of an existing drainage ditch which currently flows to the east, to now flow to the west and into a new storm drain line in 2570 West. The Grant of Temporary Construction Easement will run for a period of six months from the commencement of construction. Compensation for the Grant of Temporary Construction Easement is \$900.00 based upon a Compensation Estimate prepared by City staff.

**RECOMMENDATION:**

Approve and accept Grant of Temporary Construction Easement. Authorize the City Recorder to record said Grant of Temporary Construction Easement for and in behalf of West Valley City.

**SUBMITTED BY:**

Steven J. Dale, P.L.S., Right-of-way and Survey Section Manager



**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO ACCEPT A  
GRANT OF TEMPORARY CONSTRUCTION EASEMENT  
FROM FR INVESTMENT, LLC, FOR PROPERTY LOCATED  
AT 2421 SOUTH 2570 WEST (PARCEL 15-21-403-002).**

**WHEREAS**, FR Investment, LLC, (herein “FR Investment”) owns property located at 2421 South 2570 West (herein “the Property”); and

**WHEREAS**, the Property is affected and benefitted by the construction of the Pole Line Drive Storm Drain Project (herein “Project”); and

**WHEREAS**, FR Investment has executed a Grant of Temporary Construction Easement to facilitate construction of the Project; and

**WHEREAS**, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to accept said Grant of Temporary Construction Easement;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of West Valley City, Utah, that the Mayor is authorized to accept said Grant of Temporary Construction Easement and the City Recorder is authorized to record said Easement for and on behalf of West Valley City upon final approval of the City Manager and City Attorney’s Office.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

WHEN RECORDED RETURN TO:

West Valley City Recorder  
3600 South Constitution Blvd.  
West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL ID NO: **15-21-403-002**

**WEST VALLEY CITY  
GRANT OF TEMPORARY CONSTRUCTION EASEMENT**

For valuable consideration, receipt whereof is hereby acknowledged, **F R Investment, LLC**, GRANTOR, hereby grants and conveys to WEST VALLEY CITY, a Municipal Corporation, of the State of Utah, 3600 S. Constitution Blvd., West Valley City, Utah 84119, GRANTEE, its successors and assigns, a temporary construction easement on, over, across and through GRANTOR'S land located at **2421 South 2570 West**, for construction and replacement of improvements, said easement being described as follows:

A tract of land located in the Northeast Quarter of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian, being more particularly described as follows:


Beginning at the northwest corner of Grantor's property and on the east line of 2570 West Street, (Pole Line Industrial Park), said point being South 00°05'10" East 84.55 feet along the quarter section line and South 89°53'21" East 744.784 feet from the Center of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian; and running thence South 89°53'21" East 393.039 feet to the northeast corner of Grantor's property; thence South 05°51'22" West 20.10 feet along the easterly boundary of Grantor's property; thence North 89°53'21" West 393.22 feet to the east right-of-way line of 2570 West Street; thence along said east right-of-way line and along a non-tangent curve to the right having a radius of 12,915.73 feet (chord bears North 06°22'08" East 20.12 feet) for an arc distance of 20.12 feet to the Point of Beginning. Encompassing 7,862 square feet.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.

This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for six (6) months, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities.

WITNESSED the hand of said GRANTOR this 12<sup>th</sup> day of AUGUST, 2016.

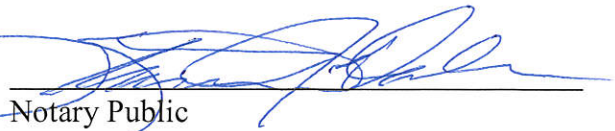
GRANTOR  
F R Investment, LLC

  
By: CASEY FLORENCE  
Title: MANAGING MEMBER

State of UTAH )  
County of SALT LAKE ) :ss

On this 12<sup>th</sup> day of AUGUST, 2016, personally appeared before me CASEY FLORENCE, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed to me that he/she executed the foregoing instrument in the capacity indicated above.



  
Notary Public



2395

2570 W



Grant of Temporary Construction Easement

2421

FR Investment, LLC

2453

Item #:	
Fiscal Impact:	\$1,300.00
Funding Source:	Storm Water Utility
Account #:	36-7532-40750-75171-0000
Budget Opening Required:	No

**ISSUE:**

Approval and acceptance of two Grants of Temporary Construction Easement from LCI Enterprises, LLC, a Utah limited liability company.

**SYNOPSIS:**

LCI Enterprises, LLC, a Utah limited liability company has signed two Grants of Temporary Construction Easement across its property located at 2551 South 2570 West (15-21-403-004).

**BACKGROUND:**

The LCI Enterprises, LLC property is one of the properties which will be affected and benefitted by construction of the Pole Line Drive Storm Drain Project. This project will pipe open sections of storm drain and upsize existing storm drain piping between 2365 South and SR-201. The Grant of Temporary Construction Easement along the southerly 10 feet of Grantor's property will allow for the piping of the existing drainage ditch with 18" RCP storm drain pipe. The Grant of Temporary Construction Easement along the northerly 20 feet of Grantor's property will allow for the regrading of an existing drainage ditch which currently flows to the east, to now flow to the west and into a new storm drain line in 2570 West. The Grants of Temporary Construction Easement will run for a period of six months from the commencement of construction. Compensation for the Grants of Temporary Construction Easement is \$1,300.00 based upon a Compensation Estimate prepared by City staff.

**RECOMMENDATION:**

Approve and accept two Grants of Temporary Construction Easement. Authorize the City Recorder to record said Grants of Temporary Construction Easement for and in behalf of West Valley City.

**SUBMITTED BY:**

Steven J. Dale, P.L.S., Right-of-way and Survey Section Manager

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO ACCEPT TWO GRANTS OF TEMPORARY CONSTRUCTION EASEMENT FROM LCI ENTERPRISES, LLC, FOR PROPERTY LOCATED AT 2551 SOUTH 2570 WEST (PARCEL 15-21-403-004).**

**WHEREAS**, LCI Enterprises, LLC, (herein “LCI”) owns property located at 2551 South 2570 West (herein “the Property”); and

**WHEREAS**, the Property is affected and benefitted by the construction of the Pole Line Drive Storm Drain Project (herein “Project”); and

**WHEREAS**, LCI has executed two Grants of Temporary Construction Easement to facilitate construction of the Project; and

**WHEREAS**, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to accept said Grants of Temporary Construction Easement;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of West Valley City, Utah, that the Mayor is authorized to accept said Grants of Temporary Construction Easement and the City Recorder is authorized to record said Easements for and on behalf of West Valley City upon final approval of the City Manager and City Attorney’s Office.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**WEST VALLEY CITY**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY RECORDER**



WHEN RECORDED RETURN TO:

West Valley City Recorder  
3600 South Constitution Blvd.  
West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL ID NO: **15-21-403-004**

**WEST VALLEY CITY  
GRANT OF TEMPORARY CONSTRUCTION EASEMENT**

For valuable consideration, receipt whereof is hereby acknowledged, **LCI Enterprises LLC, a Utah limited liability company**, GRANTOR, hereby grants and conveys to WEST VALLEY CITY, a Municipal Corporation, of the State of Utah, 3600 S. Constitution Blvd., West Valley City, Utah 84119, GRANTEE, its successors and assigns, a temporary construction easement on, over, across and through GRANTOR'S land located at **2551 South 2570 West**, for construction and replacement of improvements, said easement being described as follows:

A temporary easement, upon part of an entire tract of property located in the Northeast Quarter of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian, being more particularly described as follows:

Beginning at the northwest corner of Grantor's property and on the east line of 2570 West Street, said point being South 00°05'10" East 587.42 feet along the quarter section line and South 89°53'21" East 696.925 feet from the Center of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian; and running thence South 89°53'21" East 379.63 feet along the northerly boundary of Grantor's property to the westerly right-of-way line of Interstate 215 Freeway; thence Southerly 20.05 feet along said westerly right-of-way line and the arc of an 11,606.16 foot radius curve to the right (chord bears South 04°10'53" West 20.05 feet); thence North 89°53'21" West 379.59 feet to the easterly right-of-way line of 2570 West; thence along said east right-of-way line and along a non-tangent curve to the right having a radius of 12,915.73 feet (chord bears North 04°02'42" East 20.05 feet) for an arc distance of 20.05 feet to the Point of Beginning. Encompassing 7,592 square feet.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.

This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for six (6) months, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities.

WITNESSED the hand of said GRANTOR this 2<sup>ND</sup> day of AUGUST,  
2016.

GRANTOR  
LCI Enterprises LLC, a Utah limited liability company

  
\_\_\_\_\_  
Jay K. Liljenquist, Manager

State of Utah                                 )  
  :SS  
County of Salt Lake                         )

On this 2<sup>ND</sup> day of AUGUST, 2016, personally appeared before me  
**Jay K. Liljenquist**, whose identity is personally known to me or proved to me on the basis of  
satisfactory evidence, and who affirmed that he is the **Manager** of **LCI Enterprises LLC, a Utah  
limited liability company**, by authority of its members or its articles of organization, and he  
acknowledged to me that said limited liability company executed the same.



  
\_\_\_\_\_  
Notary Public

WHEN RECORDED RETURN TO:

West Valley City Recorder  
3600 South Constitution Blvd.  
West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL ID NO: **15-21-403-004**

**WEST VALLEY CITY  
GRANT OF TEMPORARY CONSTRUCTION EASEMENT**

For valuable consideration, receipt whereof is hereby acknowledged, **LCI Enterprises LLC, a Utah limited liability company**, GRANTOR, hereby grants and conveys to WEST VALLEY CITY, a Municipal Corporation, of the State of Utah, 3600 S. Constitution Blvd., West Valley City, Utah 84119, GRANTEE, its successors and assigns, a temporary construction easement on, over, across and through GRANTOR'S land located at **2551 South 2570 West**, for construction and replacement of improvements, said easement being described as follows:

A temporary easement, upon part of an entire tract of property located in the Northeast Quarter of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian, being more particularly described as follows:

Beginning at the southwest corner of Grantor's property and on the east line of 2570 West Street, said point being North 00°05'10" West 1576.95 feet along the quarter section line and South 89°57'11" East 696.46 feet from the Center of Section 21, Township 1 South, Range 1 West, Salt Lake Meridian; and running thence northerly said east line of 2570 West 10.01 feet along a non-tangent curve to the right having a radius of 12,915.73 feet (chord bears North 02°34'30" East 10.01 feet); thence South 89°53'21" East 379.70 feet to the westerly right-of-way line of Interstate 215 Freeway; thence southerly 10.02 feet along said westerly right-of-way line and the arc of an 11,606.16 foot radius non-tangent curve to the left (chord bears South 03°41'30" West 10.02 feet); thence North 89°53'21" West 379.50 feet to the southerly boundary of Grantor's property to the Point of Beginning. Encompassing 3,796 square feet.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.

This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for six (6) months, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities.



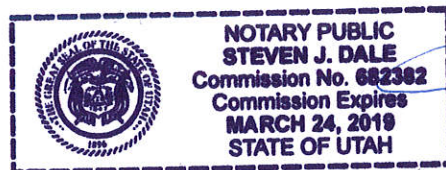
WITNESSED the hand of said GRANTOR this 4<sup>TH</sup> day of AUGUST,  
2016.

GRANTOR  
**LCI Enterprises LLC, a Utah limited liability company**

  
\_\_\_\_\_  
**Jay K. Liljenquist, Manager**

State of Utah                                 )  
  :SS  
County of Salt Lake                         )

On this 4<sup>TH</sup> day of AUGUST, 2016, personally appeared before me  
**Jay K. Liljenquist**, whose identity is personally known to me or proved to me on the basis of  
satisfactory evidence, and who affirmed that he is the **Manager** of **LCI Enterprises LLC, a Utah  
limited liability company**, by authority of its members or its articles of organization, and he  
acknowledged to me that said limited liability company executed the same.



  
\_\_\_\_\_  
Notary Public





I-201 Eb To I-215w Sb

I-215w Sb Fwy

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